

the 4.25-percent rate the Government has to pay to borrow the money it lends to REA. REA has gone far beyond its original purpose of bringing electricity to isolated rural areas. It is now a giant subsidized monopoly which threatens the operation of private power companies. Legislation introduced would make interest rates to REA more realistic.

The value of the dollar is now down to 44.8 cents in spite of the fact the administration insists there is no inflation. There has been a steady decline since the advent of the New Frontier and the Great Society. The dollar was worth 46.9 cents in 1960, 46.4 in 1961, 45.9 in 1962, 45.4 in 1963, and 44.8 in 1964. Evidently the Great Society will be achieved when the dollar is worth nothing and all of the people are poverty stricken.

What are our young people being taught in high school and college? National surveys of high school and college juniors reveal: 71 percent would deny an accused person the right to confront his accuser, 40 percent believed certain groups should be denied the right of peaceful assembly, 41 percent believed that we should cancel freedom of the press, 34 percent favored denying free speech to certain people, 26 percent would allow search and seizure without consent, 53 percent voted for Government ownership of banks, railroads, and steel companies; 56 percent voted for close Government regulation of all business, 62 percent said that the Government has the responsibility to provide jobs, 62 percent thought a worker should not produce all he can, 61 percent rejected the profit incentive as necessary to the survival of a free enterprise system, 84 percent denied that patriotism is vital and plays an important part in our lives. These surveys were conducted by Northwestern University, Purdue University, and U.S. News & World Report. The results emphasize the real educational challenge we face in America.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 3, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my

newsletter to the people of the Seventh District of Alabama for February 25, 1965:

WASHINGTON REPORT—FISCAL RESPONSIBILITY A MUST NOW

(By Congressman JIM MARTIN)

As many people contemplate the expected rewards in the dreams created by the glowing promises of the Great Society, too many overlook the growing crisis which threatens the whole structure of our economy. Reckless Federal spending and totally irresponsible fiscal policies are constantly reducing the value of the dollar, causing a continued drain on our gold supply, and could result in chaos.

I am not trying to be an alarmist, but I did attempt to arouse interest in a return to fiscal sanity in remarks I put into the CONGRESSIONAL RECORD. In the 4 years since the inauguration of a Democrat administration we have traversed the "New Frontier" and embarked upon the "Great Society"—a promissory golden age of Pericles—with deficit spending, mounting debt, dwindling gold and persistent unemployment marking every step of the way. Central authoritarian government has made sure that Federal contamination has insidiously or ruthlessly intruded into our State and local governments, our businesses, our homes, our daily lives. We have tried to spend ourselves rich, smart and secure, but all we have really done is undermine our basic structure of government, weaken our free enterprise system and impair our citizenship vis-a-vis the Federal bureaucracy.

Since January 1961 the Federal spending level has increased by 25 percent from \$80 to \$100 billion; we have sizable deficits in each intervening year—our last balanced budget was in 1960; we have added \$30 billion to the public debt; we have had a deficit every year in our balance-of-payments position; our gold supply has been reduced to its lowest level in decades. We are cutting our defense spending in the face of an alarming deterioration in world political conditions while we spend more for so-called welfare purposes.

Now is the time for perceptive, forthright action to put our fiscal house in order. It is foolhardy and irresponsible to think that this impending crisis will disappear if we ignore it; it will be ruinous if we think that we can sweep it under the rug and go on our merry spending way. We must immediately adopt disciplined monetary policies that clearly demonstrate our firm resolve to protect the purchasing power of the dollar. Our fiscal policies must again reflect a determination to live within our means. Our economy

must be kept competitive and free to operate without this stifling influence of Federal domination. If we will do these things, then, and only then, will we be able to achieve a great society that is something more than political hokum.

BRIEFS OF THE WEEK

Before the President tries to discourage travel abroad by American citizens by imposing a \$100 tax in order to ease the drain on our gold supply, perhaps he should look into the millions we are making in illegal payments abroad. About \$200 million a year is flowing abroad to veterans and beneficiaries of social security who are not citizens of the United States. Some \$75 million worth of VA checks go to foreign countries. About 150,000 beneficiaries of social security payments live abroad, of which 60 percent are not U.S. citizens. We are paying social security to 3,096 noncitizens in West Germany, 7,094 noncitizens in Greece, 1,197 noncitizens in Ireland, 215 noncitizens in Israel, 20,093 noncitizens in Italy, 3,695 noncitizens in Japan, and 314 in the Netherlands. We are even sending payments behind the Iron Curtain to Yugoslavia. In addition people are receiving U.S. payments who live in Austria, Bolivia, Brazil, Chile, the Congo, Costa Rica, Ecuador, the Ivory Coast, Luxembourg, Monaco, Panama, the Philippines, Turkey, the United Kingdom, and Upper Volta.

By a vote of 288 to 92 the House passed H.R. 45 to authorize the United States to participate in an increase in the resources of the Fund for Special Operation of the International American Development Bank. The bill carried an authorization of \$750 million. I voted against the measure because it was brought out in debate it will further jeopardize our balance of payments problem.

The House voted 302 to 63 to extend the life of the Disarmament Control Agency for 3 years with appropriations of \$40 million. I voted against the extension. At a time when our enemies are arming to the teeth, American boys are dying in Vietnam and our world position is deteriorating, it borders on stupidity to spend millions of dollars on disarmament programs. We can do much better by enunciating a strong foreign policy which will convince the Communists they cannot achieve their goal of world domination. When we convince them that we are not weak and will do whatever is necessary to protect our Nation and the free world, that will be the time to talk about disarmament.

Those interested in obtaining reprints from the CONGRESSIONAL RECORD of my speech in the House of Representatives on Selma, please write me at 1515 Longworth Building, Washington, D.C.

SENATE

TUESDAY, SEPTEMBER 7, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, with the deep desire that all our deliberations on this high hill of the Nation's life should be begun, continued, and ended in Thee, we would enter this forum of the people's hope through the gateway of prayer.

Here may our faulty perspectives be corrected by vast horizons. Here may mistaken magnitudes be lost in the long sweep of Thine eternal purpose, as our thoughts and hopes are lifted above the strident distresses of our immediate time.

We pray that Thou wilt lead our leaders, and teach our teachers, and strengthen our people, for all the trying tests that are upon us. Make strong the arm of our might—material and moral—to beat down, even at staggering costs, the cruel iniquity that today tortures those who ask for but freedom, and which twists truth by crooked sophistries.

Above all other ambitions may our hearts be captured by a ruling passion to find a way of global concord in the flaming dawn of a warless world.

We ask it in the name of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday,

September 2, 1965, and Friday, September 3, 1965, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4845. An act to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of auto-

matic data processing equipment by Federal departments and agencies; and

H.R. 8989. An act to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 4845. An act to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies; to the Committee on Government Operations.

H.R. 8989. An act to promote health and safety in metal and nonmetallic mineral industries, and for other purposes; to the Committee on Labor and Public Welfare.

HIGHER EDUCATION ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Higher Education Act of 1965 (H.R. 9567), passed by the Senate last Thursday, be printed as passed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business to consider nominations on the Executive Calendar, beginning with the Export-Import Bank of Washington.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

EXPORT-IMPORT BANK OF WASHINGTON

The Chief Clerk read the nomination of Hobart Taylor, Jr., of Michigan, to be a member of the Board of Directors of the Export-Import Bank of Washington.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The Chief Clerk read the nomination of Ralph K. Huitt, of Wisconsin, to be an Assistant Secretary of Health, Education, and Welfare.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. NAVY

The Chief Clerk read the nomination of Rear Adm. Alexander C. Husband, Civil Engineer Corps, U.S. Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Department of Justice be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations on the Secretary's desk are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith of the confirmation of the nominations.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

CALL OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, before the Senate proceeds to the consideration of morning business, I ask unanimous consent for the consideration of certain measures on the calendar to which there is no objection.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEASUREMENT OF GROSS AND NET TONNAGES FOR CERTAIN VESSELS HAVING TWO OR MORE DECKS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 657, S. 906.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 906) to provide for the measurement of the

gross and net tonnages for certain vessels having two or more decks, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act:

(a) The term "uppermost complete deck" means the uppermost complete deck of a vessel exposed to sea and weather, which shall be deemed to be that deck which has permanent means of closing all openings in the weather portions thereof, provided that any opening in the side of the vessel below that deck, other than an opening abaft a transverse watertight bulkhead placed aft of the rudder stock, is fitted with permanent means of watertight closing.

(b) The term "second deck" means the deck next below the uppermost complete deck which is continuous in a fore-and-aft direction at least between peak bulkheads, is continuous athwartships, is fitted as an integral and permanent part of the vessel's structure, and has proper covers to all main hatchways. Interruptions in way of propelling machinery, space openings, ladder and stairway openings, trunks, chain lockers, cofferdams, or steps not exceeding a total height of forty-eight inches shall not be deemed to break the continuity of the deck.

(c) The term "trunks" as used in the definition of second deck shall be deemed to refer to hatch or ventilation trunks which do not extend longitudinally completely between main transverse bulkheads.

(d) The term "Secretary" means the Secretary of the Treasury.

SEC. 2. In the measurement of a vessel under sections 4148, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 71, 75, 77), upon application of the owner and approval by the Secretary, there shall be omitted from inclusion in the gross tonnage—

(a) those spaces available for the carriage of dry cargo or stores which are located between the uppermost complete deck and the second deck, and other spaces so located which would be omitted from gross tonnage under the provisions of section 4153 if above the upper deck, provided that a tonnage mark is placed and displayed on the vessel in accordance with the provisions of this Act, so long as that tonnage mark is not submerged;

(b) those spaces which are located on or above the uppermost complete deck and which are available for the carriage of dry cargo or stores, without regard to whether a tonnage mark is placed or displayed on the vessel or, if placed or displayed, without regard to whether that mark is submerged; and

(c) those spaces which are located on the uppermost complete deck and which are used for cabins or staterooms, provided that a tonnage mark is placed and displayed on the vessel, so long as that tonnage mark is not submerged.

SEC. 3. The tonnage mark shall be a horizontal line, upon which shall be placed for identification an inverted equilateral triangle, with its apex on the midpoint of the line. The mark shall be placed and displayed on each side of the vessel, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

SEC. 4. No tonnage mark shall be required to be placed or displayed above the statutory summer loadline prescribed in accordance

with the applicable loadline convention, except that, when a vessel's statutory loadline is assigned on the assumption that the second deck is the freeboard deck, the tonnage mark may be permitted to be placed and displayed on a line level with the uppermost part of the loadline grid.

Sec. 5. Except when the tonnage mark is placed and displayed on the vessel at the level prescribed in section 4 hereof, an additional line may be added to the tonnage mark, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

Sec. 6. The tonnage mark shall be deemed to be submerged when the upper edge of the mark is under water, except that if the vessel is marked with the additional line in accordance with section 5 of this Act and is in fresh water or in tropical waters the tonnage mark shall not be deemed to be submerged unless the upper edge of the additional line is under water.

Sec. 7. In a case in which a vessel measured under this Act and other applicable statutes has a tonnage mark placed and displayed at a place other than a line level with the uppermost part of the loadline grid, any measurement certificate or marine document reciting tonnages issued to such vessel shall show the gross and net tonnages applicable when the tonnage mark is submerged and the gross and net tonnages applicable when the mark is not submerged. In any other case in which a vessel is measured under this Act and other applicable statutes, any measurement certificate or marine document reciting tonnages issued to such vessel shall show only one set of gross and net tonnages, taking into account all applicable omissions or exemptions.

Sec. 8. In a case in which an application for omission of spaces is filed under section 2 of this Act for a vessel for which a statutory loadline is not required and is not assigned, the line of the uppermost complete deck shall be marked in the manner specified for marking the deck line in the international loadline convention in force.

Sec. 9. Section 4149 of the Revised Statutes (46 U.S.C. 72) is amended to read as follows:

"Sec. 4149. The Secretary of the Treasury shall prescribe how evidence of admeasurement shall be given."

Sec. 10. Section 4150 of the Revised Statutes (46 U.S.C. 74) is amended to read as follows:

"Sec. 4150. A vessel's marine document shall specify such identifying dimensions, measured in such manner, as the Secretary of the Treasury may prescribe."

Sec. 11. Section 4153 of the Revised Statutes (46 U.S.C. 77) is amended by inserting before the first paragraph the following:

"The tonnage deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage deck. All measurements are to be taken in feet and decimal fractions of feet."

Sec. 12. The Secretary shall make such regulations as may be necessary to carry out the provisions of this Act.

Sec. 13. Any person who makes a false, fictitious, or fraudulent statement or representation in any matter in which such statement or representation is required to be made to the Secretary in any regulation issued under this Act shall be subject to a penalty of not more than \$1,000 for each such statement or representation.

Sec. 14. If any tonnage mark required to be placed and displayed on a vessel in any regulation issued under this Act by the Secretary is not so placed or displayed or if the mark at any time shall cease to be continued on the vessel, such vessel shall be subject to a penalty of \$30 on every subsequent arrival in a port of the United States.

Sec. 15. Any penalty incurred under this Act may be remitted or mitigated by the Secretary under the provisions of section 5294 of the Revised Statutes, as amended (46 U.S.C. 7).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 674), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

This legislation will implement recent recommendations made by the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization (IMCO) regarding the tonnage measurement of vessels having two or more decks.

BACKGROUND OF LEGISLATION

This bill, S. 906, was introduced at the request of the Secretary of the Treasury. A hearing was held on the bill on August 6, 1965. At the hearing the legislation was supported by the Treasury Department, the American Merchant Marine Institute, and the Pacific American Steamship Association. In addition, the committee has received a letter from the American Bureau of Shipping supporting the bill. No opposition has been expressed from any source.

GENERAL STATEMENT

The need for this legislation arises from the fact that tonnage serves as a basis for many tolls, taxes, insurance premiums, and port charges and therefore is an important factor in vessel operating costs. "Tonnage," it should be noted, is not a measure of the weight of a vessel or the cargo it can carry, but rather is the measure of the volume of the space in a vessel which is available for the carriage of cargo. It is advantageous, generally, for the shipowner to have his vessel assigned the lowest possible register tonnage while maintaining the greatest possible carrying capacity. This economic consideration has led to the development of the shelter-deck vessel. This type of vessel is one that is fitted with openings in the space in the 'tween-deck areas which is regarded as open and exempt from inclusion in computing gross and net tonnage.

The International Conference on Safety of Life at Sea, held in London in 1960, recognized a safety hazard inherent in the use of tonnage openings for the purpose of reducing tonnage. Acknowledging this problem, IMCO has recommended that member countries, including the United States, revise their tonnage regulations accordingly. The bill has been drafted to follow the IMCO recommendations. The implementation of these recommendations will promote the safety standards of the fleet and provide a more equitable payment of charges and dues based on tonnage measurement.

ANALYSIS

Section 4153 of the Revised Statutes, as amended (46 U.S.C. 77), is the principal statute governing the measurement of vessels of the United States to determine gross and net tonnages for registry or documentation. Paragraph (h) of that section, after first providing for the measurement of closed-in spaces on or above the upper deck, continues as follows: "Provided, That nothing shall be added to the gross tonnage for any sheltered space above the upper deck which is under cover and open to the weather; that is, not enclosed."

Sections 245, 246, and 247 of the Customs Regulations (19 CFR 245, 246, and 247) spell out in detail the treatment to be accorded under the above-cited provision of law to sheltered spaces above the upper deck

which are under cover, open to the weather, and not enclosed.

Those spaces which qualify thereunder as open are omitted from inclusion in gross and net tonnages whether located in the so-called shelter-deck area or in deck structures on the deck above. The exemption for the shelter-deck area is obtained by cutting or fitting openings, called tonnage openings, in the deck above such space and in bulkheads within the space which conform in size and location to the requirements set out in the regulations. The exemption for the deck structures is obtained by cutting or fitting tonnage openings in the ends or the sides of such structures, again subject to specifications for size and location. The tonnage openings may be temporarily closed in certain prescribed ways but may not be fitted with any permanent means of closure.

The theory under which the allowance is granted is that such spaces, although under cover and temporarily closed, remain open to the weather and should be regarded for tonnage purposes as though on the open deck. Nevertheless, the spaces are in fact made sufficiently weathertight by their covering and closures to permit the carriage of general cargo.

Of course, the authorities who determine the permissible depth of loading of vessels for safety and insurance purposes, the loadline authorities, have taken cognizance of these arrangements and have, in effect, required that the draft of vessels so constructed be decreased, particularly when there are openings in the shelter-deck area.

Thus, if the owner fits his vessel with openings, he will qualify for tonnage benefits in the form of reductions in tonnage but at the same time he will find that his vessel's draft, in all probability, will be reduced. If the openings are closed, he will be permitted, in the usual case, to load his vessel to a deeper level and thus take more cargo, but he will find also that the tonnage of his vessel is increased as a consequence.

The shelter-deck ship and the opening devices are not, however, peculiar to the laws and to the merchant vessels of the United States. Provisions of law and regulations which are almost identical are found in the laws of Great Britain and somewhat similar provisions may be found in the rules applicable for measurement of vessels in maritime nations generally. The practice of inserting these openings and recognizing the resulting allowances for tonnage is, as a result, accepted internationally.

In recent years, several international assemblages interested in tonnage measurement and in the safety of ships, including the 1959 Classification Society Conference held in London, the 1960 International Conference on Safety of Life at Sea, also held in London, and the 1961 meeting of the Oslo Convention Tonnage Experts, held in Reykjavik, Iceland, have called attention to the matter and have taken the position that the practice of permitting such openings is not desirable from the standpoint of seaworthiness and safety. They have recognized the desirability of dispensing with the temporary closing appliances and allowing the use of permanent watertight closures. The Classification Society Conference urged that this be done without influencing the tonnage measurement.

As a result, in 1961, the Intergovernmental Maritime Consultative Organization (IMCO) through its Maritime Safety Committee and its Subcommittee on Tonnage Measurement undertook a study of the problem as a matter of urgency with a view to making recommendations for its solution. The United States has been represented at the meetings of these groups, which have given careful study to the matter with a view to recommending a change which might permit closing the opening without influencing tonnage measurement or having an adverse effect upon the

economics of the shipping industry. These studies have been concluded and the subcommittee's report and recommendations have been given final approval by the Maritime Safety Committee as well as the required approval by the Council and Assembly of IMCO.

The Secretary-General of IMCO, in a note of May 22, 1964, following such final approval, transmitted to governments members of the Organization, including the United States, these recommendations on the treatment of shelter-deck and other open spaces as adopted by resolution of the Assembly of the Organization on October 18, 1963, and an appendix containing certain further recommendations in matters of detail as approved by the Maritime Safety Committee on April 20, 1964, pursuant to authorization of the Assembly. The Secretary-General has expressed the hope that governments will be in a position to implement the recommendations by including the relevant provisions in their national tonnage measurement regulations, pursuant to the recommendation of the Assembly. A copy of the note of May 22, 1964, from the Secretary-General, with its attachments is appended.

Those recommendations, briefly, state that provisions should be introduced into the present national tonnage measurement requirements so that those spaces of a permanent character which are regarded as open spaces, and are accordingly exempted from inclusion in gross tonnage under such rules, may be permanently closed, while retaining the present exemption of these spaces. Such provisions, under the recommendations, are to extend to all ships, whether existing or new, and permit exemption from gross tonnage of (a) certain permanently closed spaces situated on or above the uppermost complete deck exposed to sea and weather and (b) certain permanently closed spaces situated between the above-mentioned uppermost complete deck and the complete deck next below (i.e., the second deck) provided that a tonnage mark as defined in the recommendations is not submerged. The tonnage mark is to be located a certain distance below the line of the second deck, the distance being calculated by using the tonnage mark tables which are an integral part of the recommendations.

The tonnage mark, which is to be on each side of the ship slightly abaft amidships, is not to be assigned above the appropriate statutory loadline marked in accordance with the International Load Line Convention in force and the national legislation and regulations issued thereunder. However, it is specifically provided that nothing in the recommendations should prevent the assignment of a statutory loadline on the assumption that the second deck is the freeboard deck; when it is so assigned, the tonnage mark may be placed at the same level without regard to any tabular assignment which would otherwise be required. The tonnage mark is to be regarded as placed at the same level as the appropriate statutory loadline if marked on a line level with the uppermost part of the loadline grid.

When the tonnage mark is not submerged, following these recommendations, the gross and net tonnages determined by exempting the spaces which qualify for exemption and which are situated within the uppermost 'tween deck should apply; when the tonnage mark is submerged, the gross and net tonnages determined without exempting the said spaces should be applicable.

If the spaces which qualify for exemption are situated in the detached superstructures or deck houses on or above the uppermost complete deck, they are to be exempt from inclusion in the gross and net tonnages, whether or not the tonnage mark is submerged.

The recommendations define the spaces qualifying for exemption as those spaces

which are permanently closed but which, were they provided with tonnage openings, would be exempt from inclusion in the gross tonnage under the present relevant national tonnage measurement requirements.

Provision is made in the recommendations for the tonnage certificate and the marine document of a vessel which has a tonnage mark to show two sets of gross and net tonnages, except in a case in which the statutory loadline is assigned on the assumption that the second deck is the freeboard deck and in which the tonnage mark is placed at the same level as the loadline mark; in the latter case only one set of tonnages need be shown.

The draft legislation forwarded with this analysis is designed to give effect to the recommendations which have been transmitted by the Secretary-General of IMCO.

Section 1 of the bill contains definitions of the terms "uppermost complete deck," "second deck," "trunks," and "Secretary." The definitions of the first three terms conform to those included in the IMCO recommendations. The term "Secretary" is defined as meaning the Secretary of the Treasury.

Section 2 provides that upon application of the owner and approval by the Secretary, there shall be omitted from inclusion in the gross tonnage, and hence in the net tonnage, the volume of certain spaces, including principally the spaces available for the carriage of dry cargo or stores above the uppermost complete deck and between that deck and the deck next below and the spaces used for cabins or staterooms on the uppermost complete deck. When the spaces are those available for dry cargo or stores between the uppermost complete deck and the second deck or those used for cabins and staterooms on the uppermost complete deck, the omission from tonnage is to apply only upon the condition that a control device, designated a tonnage mark, is placed and displayed on the vessel and the further condition that the mark is not submerged.

The exemption of cargo space, it will be noted, has been limited to that for the carriage of dry cargo. The reference to "dry" cargo is not unique in present law, for the term is used in section 4132 of the Revised Statutes, as amended (46 U.S.C. 11). The term has been included because of the view expressed by the Subcommittee on Tonnage Measurement of IMCO as contained in its report to the Maritime Safety Committee, although not included in its formal proposals, that although the recommendations are applicable to all ships, nevertheless they relate only to those ships and spaces therein which comply with the provisions of paragraph 8 of the recommendations as later forwarded by the Secretary-General of IMCO and included in the attachment to this analysis. This expression was made following a lengthy discussion of intention in which all agreed that the recommendations should not be read to permit the exemption of liquid cargo space, which could not be exempted at present since no such space could be fitted with openings because of the very nature of the cargo itself. Of course, if the openings were to be closed, the space might be made suitable for liquid cargo. It is, therefore, necessary in some way to indicate that such spaces are not within the intent of the draft legislation. The term may require some definition in the regulations to be issued under the legislation. It is expected that the definition, if deemed necessary, will be drawn in accordance with the above-stated expression of intention in the application of the recommendations.

While, as indicated, the spaces to be exempted in the 'tween deck (that is, the space between the uppermost complete deck and the deck next below) will consist principally of spaces available for cargo or stores, there are certain other spaces in that area which today would be exempted from gross ton-

nage if the space were to be fitted with proper tonnage openings. An example of a space which would not be regarded as available for cargo or stores but which would be exempted in such case is the space occupied by a closed-in resistor house.

A closed-in space, of course, could not be regarded as open to the weather and not enclosed within the meaning of that portion of paragraph (h) of section 4153 which has been quoted above. However, that portion of paragraph (h) of section 4153 which immediately precedes the quoted matter and which provides for the measurement of closed-in spaces provided only for the measurement of those spaces as are available for cargo, or stores, or for the berthing or accommodation of passengers or crew. This Department and its predecessors in the administration of the provisions of section 4153 have construed these provisions as not requiring or providing for the measurement of any closed-in space on the upper deck other than one of those specifically named. Since the space in an open 'tween deck is regarded as space on the upper deck, it follows that a resistor house and any other similar space would not be measured and included in the tonnage of a vessel so constructed.

Having spaces such as this in mind and the difficulties of making an inclusive list of such spaces, section 2(a) has been drawn to include among the spaces exempted "other spaces so located which would be omitted from gross tonnage under the provisions of section 4153 if above the upper deck." This will, in effect, exempt all spaces in the 'tween deck area other than spaces for the berthing or accommodation of passengers or crew.

In section 3, the tonnage mark is described in general terms, and there is a requirement that it be marked on each side of the vessel. However, detailed specifications for location and dimensions are not included. Such specifications are reserved for inclusion in regulations to be issued under the act by the Secretary. It is expected that these regulatory requirements will follow the IMCO recommendations and that the tonnage tables included therein will be used in specifying the vertical location of the tonnage mark. However, since it may be anticipated that changes in the tables may become necessary or advisable on the basis of experience in operation or by reason of changed conditions, it has been considered advisable to avoid including these details in the legislation in order to obviate the necessity for requesting amendments to the law for the purpose of making relatively minor changes.

Section 4 provides that the tonnage mark shall not appear above the statutory summer loadline mark. This provision follows a specific recommendation in the IMCO papers to that effect. It appears that no substantial purpose would be served by placing the mark in such a location, since the loadline mark cannot lawfully be submerged. However, the section makes an exception in a situation in which a statutory loadline is assigned at a freeboard greater than the minimum, when the tonnage mark is permitted to be maintained on a line level with the uppermost part of the loadline grid. Owners of vessels who desire to retain present tonnages or to receive equivalent tonnage assignments and who are willing to operate their vessels indefinitely at a lesser draft in order to maintain a lower set of tonnages without having higher tonnages shown on their vessel documents would be permitted to do so under this section.

Section 5 provides that, except when the tonnage mark is at the level of the uppermost part of the loadline grid, an additional line may be added, subject to regulatory specifications for location and dimensions. The line is intended for use in fresh or tropical waters as an indication of the permissible depth of loading for retention of

tonnage benefits. While details of location and dimensions of this line have been omitted for the same reasons as those given above for section 3, it is expected that the regulatory specifications will conform to the recommendations of IMCO.

Section 6 sets out the circumstances in which the tonnage mark is to be deemed to be submerged. This will occur when the upper edge of the horizontal line which forms the mark is under water, except that when the additional line provided under the preceding section is marked, the tonnage mark is not to be deemed to be submerged unless that line is under water. This latter provision is similar to a provision found in the loadline convention which permits deeper loading in fresh or tropical waters. The principal effect, broadly speaking, will be to permit vessels in fresh water to load the same amount of cargo as in salt water without losing tonnage benefits.

Section 7 provides in effect that if a vessel has a tonnage mark placed so that it is possible to submerge it without submerging the loadline mark, the measurement certificate or marine document shall show both the higher gross and net tonnages applicable while the tonnage mark is submerged and the lower gross and net tonnages applicable while the tonnage mark is not submerged. If the tonnage mark is so placed as to be effectively prohibited by proximity to the loadline mark from being lawfully submerged or if there is no mark, only one set of tonnages, reflecting all exemptions applicable in any specific case, is to be shown. The provisions will require the showing of all applicable tonnages and will permit enforcement authorities to select the proper tonnages in application of pertinent laws, charges, or fees.

Section 8 provides for the marking of a decline for use in vertical location of the tonnage mark when the vessel involved is not subject to the requirements for having a statutory loadline mark and does not have one assigned.

Section 9 amends section 4149 of the Revised Statutes (46 U.S.C. 72) to omit the present detailed requirements relating to the issuance of certificates of admeasurement and the requirements for countersigning of such certificates by the owner, the master or the agent of the vessel. The latter provision appears to have outlived its usefulness and the specification of details appears overly restrictive and unnecessary. The new section would permit the details in such issuances to be specified by regulation.

Section 10 amends section 4150 of the Revised Statutes (46 U.S.C. 74) to delete the detailed provisions with regard to the dimensions to be shown in vessel registers and the detailed specifications with respect to determining length, breadth, depth, and height. The amended section would permit the Secretary to prescribe by regulation for taking dimensions and expressing them appropriately in any register or other marine document issued to a vessel.

Section 11 would further amend section 4153 of the Revised Statutes (46 U.S.C. 77) by inserting as a first paragraph a sentence specifying the deck which is to be deemed the tonnage deck in vessels and requiring the measurements be taken in feet and decimal fractions of feet. These provisions are taken substantially from section 4150 of the Revised Statutes. They appear to be more appropriate for inclusion in the general measurement statute.

Section 12 authorizes the Secretary to make such regulations as may be necessary to carry out the provisions of the act.

Section 13 provides a penalty for making of false, fictitious, or fraudulent statements or representations in any matter in which a statement or representation is required in the regulations issued under the act. This penalty, for flexibility and ease of administration, would be civil in nature and subject to

remission in mitigation as provided in section 15 below.

Section 14 provides a penalty if a required tonnage mark is not placed or displayed on the vessel. This penalty corresponds in nature and amount to the penalty prescribed in section 4153 of the Revised Statutes for failure to have the net tonnage marked as well as to similar penalties in other sections of law relating to the marking of official numbers and names on vessels (see 46 U.S.C. 45 and 46). It would be subject to administration in the same manner as the penalty provided in section 13.

Section 15 would provide authority for remission or mitigation of any penalty incurred under the act pursuant to the provisions of section 5294 of the Revised Statutes, as amended (46 U.S.C. 7).

The bill is, of course, not intended to repeal by implication or affect any provision of existing statute not specifically mentioned and expressly amended. Any vessel may be measured after enactment in accordance with existing law, as in the past. Accordingly, if tonnage openings are fitted or remain fitted on vessels after approval of the proposed legislation, the spaces which may be regarded as open by virtue of such tonnage openings under present law will be omitted from inclusion in gross tonnage, and consequently from inclusion in net tonnage. However, if the owner of such a vessel, whether the vessel exists at the time of enactment or is built thereafter, should elect to file an application for treatment under section 2 of the act and if that application is approved, the exemption or omission of such spaces as are described in that section will be granted subject to compliance with the other requirements.

ESTABLISHMENT OF PROGRAM OF CASH AWARDS FOR SUGGESTIONS, INVENTIONS, OR SCIENTIFIC ACHIEVEMENTS BY MEMBERS OF THE ARMED FORCES

The bill (H.R. 8333) to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 678), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to establish a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces, which contribute to the efficiency, economy, or other improvement of Government operations. No award of more than \$25,000 may be made under the bill, the same limitation as appears in the existing civilian program.

BACKGROUND OF THE BILL

The "Government Employees Incentive Awards Act" was established by Public Law 83-763 (68 Stat. 1112) on September 1, 1954. This act permits the payment of awards to and for the honorary recognition of civilian officers and employees of Government who by their suggestions, inventions, superior accomplishments or other personal efforts, contribute to the efficiency, economy, or other improvement of Government operations or

who perform special acts or services in the public interest in connection with or related to their official employment. The members of the military services are not covered by this act. The purpose of this measure, therefore, is to provide a similar program for the members of the military services, insofar as it relates to the suggestions, inventions, or scientific achievements which contribute to the economy, efficiency, or other improvements to the operations or programs of the Armed Forces.

Military and civilian personnel often work side by side on similar jobs, entailing similar authority and responsibility. By law, the civilian may receive a sizable cash award from public funds for a sound idea or invention. The military member does not, but should, have the same opportunity.

Defense position

The Department of Defense has in the past been opposed to cash payments to service personnel for beneficial suggestions. This past policy with regard to beneficial suggestions has been based upon the supposition that monetary payments would be inconsistent with and a reflection upon the traditional "sense of duty" of those in the military. Military personnel have always been rewarded for beneficial suggestions by appropriate entries in their fitness (effectiveness) reports, service records, and, in exceptional cases, by letters of commendation.

The Department of Defense has reconsidered its position in the light of the success of the incentive pay program, which is now an integral part of the military pay structure, and the marked success of the suggestion programs utilized by the Federal civil service and private industry. In view of this reconsideration, the Department of Defense has now recognized the value of the proposed military incentive awards program and strongly favors the legislation.

Private business

Leaders in the most successful business enterprise support the premise that cash awards for suggestions or inventions not only save money, but of equal importance, improve the morale of employees. Industry accepts as much as 30 percent of the suggestions received and saves an estimated \$200 million a year for the ideas they take out of the suggestion boxes. For example, at General Motors, \$7.5 million was distributed to more than 220,000 employees for suggestions last year. The Ford Motor Co. is so eager for ideas that employees who win the maximum \$6,000 award also receive a new car.

Federal Government

The Federal Government began such a program in 1912 when the Secretary of War was authorized to pay cash awards for suggestions by workers in the Army's ordnance shops. A similar program was initiated by the Navy Department in 1918. These programs were generally inactive, however, until 1943 when the War Production Board spurred the defense industry into establishing a considerable employee suggestion program under the guidance of each factory's labor-management committee. In that year also the Navy Department revitalized its program under its old act of 1918 and the War Department, Interior Department, and Maritime Commission obtained special legislation through their appropriation acts to pay cash awards for adopted suggestions. It was not until 1946 that the suggestion program was extended Government-wide under section 14, Public Law 79-600. In 1949, title X of the Classification Act (Public Law 429) provided for the granting of awards to individuals or groups of employees whose suggestions or work performance contributed to efficiency in Government operations. Title VII of the same Classification Act continued the additional step increases for superior accomplishment originally introduced in 1941. This overlapping legislation, however,

made it difficult to operate an awards program in most agencies so that the programs were reconciled into one piece of legislation in 1954 by Public Law 83-763.

Accomplishments

In 1964, Army, Navy, and Air Force civilian employees submitted 233,552 suggestions of which 63,581 were adopted. This resulted in first year benefits of \$66,171,148, as against a cost of \$2,315,980 for cash awards. Since the Armed Forces is one of the largest groups of employees, this means of reaching the untapped idea potential of the hundreds of thousands of military personnel should, in the opinion of the committee, be equally productive.

COST AND SAVINGS

There has been little experience on which to base an estimate of the cost of an awards program or the possible savings resulting from such a program for military personnel. However, based upon the rate of civilian participation in the program and the money paid out for cash awards, it would appear that by including approximately 2,685,000 military members, it could result in additional annual savings of approximately \$186,091,000 versus an estimated expenditure of \$6,680,000. This estimate was arrived at by (1) taking the actual rate of civilian participation in each service program, the amount of cash awards paid out for adopted suggestions, the savings effected; and (2) projecting this experience to the number of military personnel that would be affected by the proposed program.

COMMITTEE CONCLUSIONS

The committee strongly feels that military personnel are entitled to and should be rewarded in the same way as civilian personnel for substantial ideas, suggestions, or inventions that result in increased efficiency, economy, or other improvements in the operations or programs of the Armed Forces or the Government as a whole. Such recognition should apply only in those instances where it may be clearly demonstrated that an improvement or a savings has or will result in the operation of the department concerned.

The language of the law governing civilian employees of the Government (68 Stat. 1112) is rather generally worded so as to apply to other rather intangible propositions, namely, "superior accomplishments, or other personal efforts and special acts or services in the public interest." To apply such terminology to the military, in the opinion of the committee would be in conflict with the various special laws which the Congress has provided for the military, such as are set forth below. Furthermore, it is believed that every employee of the Government whether civilian or military, should be expected to perform his duties commensurate with the best of his ability at all times. Insofar as the military is concerned, however, it is recognized that those engaged in research might possibly submit research papers that do not fall within either of the categories of suggestions or inventions but might still result in improvement or economy in the Government's programs. This fact has been taken into consideration in the proposed bill.

The special pays referred to above are as follows:

1. Incentive pay for hazardous duty: This is extra pay granted all members of a class while serving in dangerous military occupations. Among other duties are those involved in aviation or submarine operations, parachute jumping, and demolition of explosives. The pay varies by grade and type of duty.
2. Pay for physicians and dentists: The amount of such pay increases with the length of active duty service.
3. Pay for veterinarians: Of \$100 a month for each month of active duty.

4. Pay for diving duty: At the rate of \$110 a month for periods during which diving is actually performed.

5. Pay for sea or overseas duty: Paid to an enlisted member at a monthly rate based on grade (maximum \$22.50).

6. Proficiency pay for enlisted members: The monthly rate varies from \$50 to \$150 on the basis of a proficiency rating in connection with a special military skill.

7. Reenlistment bonus for voluntary reenlistment (maximum \$2,000).

8. Hostile fire: Pay of \$65 a month for duty subject to hostile fire is payable to a member of a uniformed service.

The committee will expect the implementing regulations prepared by the Department of Defense to clearly reflect that this program will be administered in such a manner as to preclude duplication of awards between the services.

CLAIMS AGAINST THE GOVERNMENT

Proposed section 1040(d) provides that the acceptance of a cash award is considered to be an agreement by the recipient that the use of any idea, method, or device for which the award is made may not be the basis for a further claim against the United States by him, his heirs, or assigns. This language is similar in purpose to that used in the Government Employees' Incentive Awards Act (5 U.S.C. 2123(d)). The Civil Service Commission regards such provision in that act as a safeguard so that the grant of a cash award would terminate the Government's financial obligation unless the Government voluntarily waived such protection.

Under this provision, for example, if a suggestion forming the basis of an award should be in the form of an invention patented by the employee, that patent could not be the basis of a claim for compensation against the Government for use of the patented invention regardless of the circumstances under which the invention was made.

The acceptance of a cash award, in short, authorizes the Government to use the subject invention in any manner necessary or desirable to its authorized functions without paying the inventor anything in addition to the award.

As a corollary of its license to use the invention is the right of the Government to contract with an independent contractor for the manufacture of the item involved for its direct use by the Government.

The proposed legislation does not prevent the serviceman-inventor from obtaining a patent and receiving royalties therefrom in cases where the Government is not involved.

FISCAL DATA

As indicated and explained previously in the report under "Cost and Savings," this bill would appear to involve the expenditure of \$6,680,000 during a year's period with estimated savings to the Government thereby of \$186,091,000.

DEPARTMENTAL DATA

This legislation is a part of the Department of Defense legislative program for the 89th Congress. The Bureau of the Budget has no objection to this legislation.

ADMISSION OF CERTAIN FORMS OF NICKEL FREE OF DUTY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 663, H.R. 6431.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6431) to amend the Tariff Act of 1930, to provide that certain forms of nickel be admitted free of duty.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 6431) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 681), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

The bill suspends through June 30, 1967, the duties on ferronickel, unwrought nickel, and nickel powder imported from non-Communist countries. It also authorizes the President to proclaim the continuance of such duty-free treatment after June 30, 1967, in order to carry out a trade agreement entered into under the authority of section 201 of the Trade Expansion Act of 1962.

GENERAL STATEMENT

Description of products

Ferronickel is provided for in TSUS items 607.25, unwrought nickel in TSUS item 620.02, and nickel powders in TSUS item 620.32. The rate of duty applicable to these three forms of nickel is 1.25 cents per pound.

Unwrought nickel is refined nickel consisting largely of sheared electrolytic nickel cathodes and similar crude forms, and is often referred to as metallic nickel or nickel metal. It accounts for the largest volume of imports of products covered by the bill (over 90 percent of all imported nickel content in 1963). Canada is the principal producer of unwrought nickel and provides over 90 percent of U.S. imports. Norway is the only other supplier of consequence.

Nickel powders are another form of refined metallic nickel, and Canada is virtually the sole supplier of U.S. imports.

Ferronickel is defined in the TSUS as a "ferrous alloy consisting essentially of iron and nickel and containing 10 percent or more, by weight, of nickel." This material is produced directly from ore smelted in an electric furnace and has a nickel content of from 30 to 50 percent. Because the present duty on ferronickel is based upon gross weight and due to the fact that the iron content of this product is from 50 to 70 percent, imports have been insignificant.

U.S. production and imports

The United States is heavily dependent upon imports for its supplies of nickel. During 1960-64, annual U.S. consumption of nickel ranged between 108,000 short tons (1960) and 135,000 short tons (1964). Domestic mine production of nickel has amounted to 13,000 to 15,000 short tons per annum, which tonnage has been converted into ferronickel. Nickel recovered by reprocessing scrap materials has added 9,000 to 11,000 short tons per annum to the domestic supply. Domestic mine production plus secondary nickel from scrap has been equivalent to approximately one-fifth of annual nickel consumption in the United States.

Total imports of primary nickel in various forms amounted to about 129,000 short tons (nickel content) in 1964, 119,000 short tons in 1963, and 123,000 short tons in 1962.

Except for small quantities of nickel derived as a byproduct of copper refining, all primary nickel is produced in this country by a single company which operates a mine and smelter in Oregon. The domestic product is a high-grade ferronickel (45 percent nickel, 55 percent iron). Foreign ferronickel generally has less than a 30-percent nickel content.

Certain nickel materials other than those covered by the bill; viz, nickel oxide (including nickel oxide sinter), nickel ore, nickel matte, and other materials containing over 10 percent nickel, and nickel waste and scrap are already free of duty.

Uses of nickel

Nickel is used principally as an alloying element in the production of stainless and other steels, accounting for 47.6 percent of the total annual consumption for 1964. Other major uses are: nonferrous alloys (16 percent), electroplating (19 percent), and high-temperature and electrical resistance alloys (10 percent). The balance is consumed for other uses such as catalysts, ceramics, and magnets.

Duty suspension to assist U.S. industry

Your committee is advised that the present duty on the products covered by the bill constitutes a significant cost burden on U.S. manufacturers, particularly producers of stainless steel and alloy steels, and removal of the duty would help to improve the competitive position in the domestic as well as the export market of U.S. products manufactured from imported nickel-bearing raw materials. Most foreign producers obtain their nickel duty free. Domestic stainless steel producers have stated that their competitive position in the U.S. market and abroad would be considerably enhanced by the elimination of the duties on unwrought nickel, nickel powder, and ferronickel. From this, your committee understands that the saving accruing from the elimination of the duty on unwrought nickel, nickel powder, and ferronickel would be passed on to the consumer of such nickel products.

As previously indicated, the duty on ferronickel has been a deterrent to the importation of this product, which competes with duty-free oxide. This is true despite cost and technical advantages which the use of ferronickel provides in steelmaking. Furthermore, under existing economic and technological conditions, domestic reserves of nickel-bearing ores used in the manufacture of ferronickel are limited and may be depleted, at the present rate of production, within the next two decades.

Effect of duty suspension on Government stockpile

Surplus U.S. Government stocks of nickel in all forms amounts to about 165,000 short tons, or 330 million pounds, having a present market value of between 75 and 79 cents per pound. Acquisition cost of this nickel averaged 64 cents per pound. While removal of the duties on the nickel products covered by the bill might have some depressing effect on the disposal price of Government surplus stocks, your committee is satisfied that such effect would be minor and that continued disposal of surplus Government stocks at a profit will be possible.

Provisions of the bill

The bill provides for duty-free treatment for the period beginning the day after enactment through June 30, 1967. Under the bill, duty-free treatment would be available only with respect to nickel, nickel powders, or ferronickel, imported from non-Communist countries. Such products imported from Communist countries would continue to be dutiable at the nonconcession rates of 3 cents per pound. The possibility of continuance of duty-free treatment beyond June 30, 1967, is provided for in section 2(b).

The first sentence of section 2(b) provides that duty-free treatment beyond June 30, 1967, shall not apply except pursuant to a trade agreement which is entered into under the Trade Expansion Act of 1962 before July 1, 1967.

The second sentence of section 2(b) gives the President the authority to grant an extension of the duty-free treatment beyond June 30, 1967, in a trade agreement, such as

the one which is now being negotiated in the Kennedy round of trade negotiations in Geneva, in which the United States will obtain reciprocal concessions. These negotiations are being conducted on the part of the United States under the authority of the Trade Expansion Act of 1962. The second sentence of section 2(b) therefore provides, in effect, that the temporary duty-free treatment provided by the bill shall be considered permanent duty-free treatment for purposes of the President's authority under section 201 of the Trade Expansion Act. In the absence of a trade agreement with respect to the products concerned entered into prior to July 1, 1967, the present U.S. duty on these products will be reinstated on that date.

In connection with any agreement for the continuance beyond June 30, 1967, of the duty-free treatment of the products covered by the bill, the pertinent provisions of the Trade Expansion Act of 1962 will apply, including the preagreement procedures in section 221 et seq. The staging requirements of section 253 would not apply, since they apply only to the reduction of a duty, as opposed to the continuation of duty-free treatment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that measures on the calendar beginning with No. 665 and ending with 668 be considered.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will state the first bill.

AMENDMENTS TO INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

The Senate proceeded to consider the bill (S. 1935) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes which had been reported from the Committee on Foreign Relations with an amendment on page 2, line 16, after "March 31," to strike out "1966" and insert "1968"; and, in line 24, after the word "the," to strike out "Governor" and insert "Government"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Claims Settlement Act of 1949, as amended, is further amended as follows:

(1) Subsection (f) of section 4, title I, is hereby amended to read as follows:

"(f) No remuneration on account of services rendered on behalf of any claimant in connection with any claim filed with the Commission under this title shall exceed 10 per centum of the total amount paid pursuant to any award certified under the provisions of this title, on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be fined not more than \$5,000 or imprisoned not more than twelve months, or both."

(2) Section 6, title I, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Commission shall complete its affairs in connection with the settlement of United States-Polish claims arising under the Polish Claims Agreement of July 16, 1960, not later than March 31, 1968."

(3) Subsection (b) of section 7, title I, is amended by inserting "(1)" after the subsection letter, and adding at the end thereof the following paragraphs:

"(2) The Secretary of the Treasury shall deduct from the undisbursed balance in the Polish claims fund, created pursuant to section 8, as of the date of enactment of this paragraph and from each payment thereafter into that fund, 5 per centum thereof as reimbursement to the Government of the United States for expenses incurred by the Commission and by the Treasury Department in the administration of this title. The amounts so deducted shall be covered into the Treasury to the credit of miscellaneous receipts. The Secretary shall make payment to the person or persons entitled thereto out of the Polish claims fund on account of any amounts deducted pursuant to subsection (b) of section 7 from payments made pursuant to section 8(c) (1) and (2) prior to the enactment of this paragraph.

"(3) The Secretary of the Treasury shall deduct from each payment into any other special fund created pursuant to section 8, subsequent to November 4, 1964, 5 per centum thereof as reimbursement to the Government of the United States for the expenses by the Commission and by the Treasury Department in the administration of this title. The amount so deducted shall be covered into the Treasury to the credit of miscellaneous receipts."

(4) Paragraph (1) of subsection (c), section 7, title I, is hereby amended to read as follows:

"(1) If any person to whom any payment is to be made pursuant to this title is deceased or is under a legal disability, payment shall be made to his legal representative, except that if any payment to be made is not over \$1,000 and there is no qualified executor or administrator, payment may be made to the person or persons found by the Comptroller General to be entitled thereto, without the necessity of compliance with the requirements of law with respect to the administration of estates."

(5) Subsection (c) of section 8, title I, is amended by striking out the phrase "any of the funds" and inserting in lieu thereof "the Yugoslav claims fund", and by inserting the phrase "paragraph (1) of" after the phrase "pursuant to" and before the words "subsection (b)".

(6) Section 8, title I, is hereby further amended by adding at the end thereof the following subsection:

"(e) The Secretary of the Treasury is authorized and directed out of the sums covered into the Polish claims fund and into any other special fund created pursuant to this section subsequent to November 4, 1964, to make payments on account of awards certified by the Commission pursuant to this title with respect to claims included within the terms of the Polish Claims Agreement of 1960 and of any other similar agreement entered into subsequent to November 4, 1964, as follows and in the following order of priority:

"(1) Payment in the amount of \$1,000 or in the principal amount of the award, whichever is less;

"(2) Thereafter, payments from time to time on account of the unpaid principal balance of each remaining award which shall bear to such unpaid principal balance the same proportion as the total amount in the Polish claims fund and in any other special fund created pursuant to this section subsequent to November 4, 1964, available for distribution at the time such payments are made bears to the aggregate unpaid principal balance of all such awards; and

"(3) Thereafter, payments from time to time on account of the unpaid balance of each award of interest which shall bear to such unpaid balance of interest, the same proportion as the total amount in the Polish

claims fund and in any other special fund created pursuant to this section subsequent to November 4, 1964, available for distribution at the time such payments are made bears to the aggregate unpaid balance of interest of all such awards."

(7) Section 302, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Secretary of the Treasury shall cover into each of the Bulgarian and Rumanian claims funds, such sums as may be paid by the Government of the respective country pursuant to the terms of any claims settlement agreement between the Government of the United States and the Government of such country."

(8) Section 303, title III, is amended by striking out the word "and" at the end of paragraph (2), and by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and immediately thereafter, the word "and".

(9) Section 303, of title III, is further amended by adding at the end thereof the following new paragraph:

"(4) pay effective compensation for the nationalization, compulsory liquidation, or other taking of property of nationals of the United States in Bulgaria and Rumania, between August 9, 1955, and the effective date of the claims agreement between the respective country and the United States."

(10) Section 304 of title III is amended by inserting "(a)" after the section number and adding at the end thereof the following subsections:

"(b) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on August 9, 1955, which arose out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, and with respect to which provision was not made in the treaty of peace with Italy: *Provided*, That no awards shall be made to persons who have received compensation in any amount pursuant to subsection (a) of this section or under section 202 of the War Claims Act of 1948, as amended, or to persons whose claims have been denied by the Commission for reasons other than that they were not filed within the time prescribed by section 306.

"(c) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on September 3, 1943, and the date of enactment of this subsection, against the Government of Italy which arose out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, in territory ceded by Italy pursuant to the treaty of peace with Italy: *Provided*, That no awards shall be made to persons who have received compensation in any amount pursuant to the treaty of peace with Italy or subsection (a) of this section.

"(d) Within thirty days after enactment of this subsection, or within thirty days after the date of enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under subsections (b) and (c) of this section, whichever date is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed with the Commission, which limit shall not be more than six months after such publication.

"(e) The Commission shall certify awards on claims determined pursuant to subsections (b) and (c) of this section to the Sec-

retary of the Treasury for payment out of remaining balances in the Italian claims fund in accordance with the provisions of section 310 of this title, after payment in full of all awards certified pursuant to subsection (a) of this section.

"(f) After payment in full of all awards certified to the Secretary of the Treasury pursuant to subsections (a) and (d) of this section, the Secretary of the Treasury is authorized and directed to transfer the unobligated balance in the Italian claims fund into the war claims fund created by section 13 of the War Claims Act of 1948, as amended."

(11) Section 306, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) Within thirty days after enactment of this subsection or the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 of this title, whichever is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed under paragraph (4) of section 303 of this title, which limit shall not be more than six months after such publication."

(12) Section 310, title III, is amended by adding at the end of subsection (a) thereof the following paragraph:

"(6) Whenever the Commission is authorized to settle claims by the enactment of paragraph (4) of section 303 of this title with respect to Rumania and Bulgaria, no further payments shall be authorized by the Secretary of the Treasury on account of awards certified by the Commission pursuant to paragraphs (1), (2), or (3) of section 303 of the Bulgarian or Rumanian claims funds, as the case may be, until payments on account of awards certified pursuant to paragraph (4) of section 303 with respect to such fund have been authorized in equal proportion to payments previously authorized on existing awards certified pursuant to paragraphs (1), (2), and (3) of section 303."

(13) Section 316, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Commission shall complete its affairs in connection with the settlement of claims pursuant to paragraph (4) of section 303 and subsections (b) and (c) of section 304 of this title not later than two years following the date of enactment of such paragraph, or following the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 and subsections (b) and (c) of section 304 of this title, whichever is later."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 682), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MAIN PURPOSE OF THE BILL

The main purpose of S. 1935 is to provide for the determination of claims of American nationals which are covered by the United States-Polish Claims Agreement of July 16, 1960. Pursuant to that agreement, Poland agreed to pay to the United States an amount of \$40 million in 20 annual installments of

\$2 million each. As of this date, five \$2 million installments have been paid to the U.S. Treasury.

In addition, S. 1935 provides for the disposition of funds received under the terms of en bloc claims settlement agreements concluded with the Governments of Bulgaria (on July 2, 1963), Rumania (on March 30, 1960), and Yugoslavia (on November 5, 1964), and the reopening of the Italian claims program in order to pay claims not previously compensable. The bill also contains several administrative housekeeping provisions which the Foreign Claims Settlement Commission feels are desirable on the basis of past experience.

BACKGROUND OF CLAIMS PROGRAMS COVERED BY S. 1935

Set forth below are statistics and background information regarding the various claims programs covered by the pending bill. The programs are administered by the Foreign Claims Settlement Commission under the authority of the International Claims Settlement Act of 1949, as amended.

1. YUGOSLAVIA CLAIMS PROGRAM

Statutory authority: Title I of the International Claims Settlement Act of 1949 (Public Law 81-455, approved March 10, 1950).

Type of claims: Nationalization or other taking.

Dates of taking or loss: 1939 to 1948.

Filing period: June 30 to December 30, 1951.

Number of claims: 1,556.

Amount asserted: \$149,344,249.70.

Number of awards: 876.

Amount of awards: \$18,817,904.89.

Amount of fund: \$17 million.

Amount paid on awards: Approximately 91 percent.

Program completed: December 31, 1954.

Background: Historically, the first post-World War II lump-sum claims settlement agreement entered into by the United States was that with Yugoslavia which was signed on July 19, 1948. Under its terms, Yugoslavia agreed to pay the United States \$17 million as full settlement and discharge of all claims of U.S. nationals "on account of the nationalization and other taking by Yugoslavia of property and of rights and interests in and with respect to property," which occurred between September 1, 1939, and the date of agreement. In return the United States agreed to release approximately \$47 million in blocked assets (including \$42 million in gold bullion) being held by the Federal Reserve Bank of New York. The agreement also defined "nationals" and provided for the establishment of an agency by the United States to adjudicate claims (International Claims Commission). Yugoslavia was allowed to file briefs as *amicus curiae*, and the determinations of the adjudicating agency with respect to the validity and the amounts of claims were to be "final and binding." The funds were to be distributed in accordance with methods adopted by the United States, and if any excess remained it was to be returned to Yugoslavia.

The Commission completed the processing of claims under this program on December 31, 1954. However, the actual distribution of awards by the Treasury Department was held in abeyance because of litigation until March 31, 1956, when the U.S. Court of Appeals (District of Columbia) held that the Commission's decisions on the validity and amounts of claims were final and conclusive and not subject to judicial review.

Another claims agreement with Yugoslavia was signed on November 5, 1964. (See appendix.) The claims covered by the agreement arose out of nationalization and other taking by Yugoslavia of property of American nationals subsequent to July 19, 1948, the date of the first claims agreement with Yugoslavia. Pursuant to the terms of the 1964 agreement, Yugoslavia is to pay the sum

of \$3,500,000 in five annual installments of \$700,000 each, beginning on January 1, 1966. The claims will be adjudicated by the Foreign Claims Settlement Commission, after the Congress appropriates the necessary funds for its administrative expenses.

At the time the 1964 agreement was signed there was an exchange of notes (see appendix) in which Yugoslavia indicated it intended to compensate persons who were not U.S. nationals when their property was taken. It understood that these individuals will be required to file their claims with the local government in Yugoslavia where their property was located at the time it was nationalized or otherwise taken.

2. BULGARIAN AND RUMANIAN CLAIMS PROGRAMS

Background: Pursuant to the authority contained in Executive Order 8389, issued on April 10, 1940, the United States blocked the assets of the Governments and nationals of Rumania (on October 1, 1940) and Bulgaria (on March 4, 1941). After World War II, in the peace treaties of February 10, 1947, these Governments undertook to restore American-owned property in their respective countries or else provide compensation to the extent of two-thirds of the war damage suffered by such property. These undertakings were not honored; nor were American owners compensated for property which was nationalized or otherwise taken subsequent to the date of the treaties.

Under the terms of the peace treaties, it was provided that assets in the United States belonging to Bulgaria and Rumania or their nationals might be seized and liquidated and the proceeds used to satisfy the claims of American citizens against those Governments. Accordingly, title II of the International Claims Settlement Act of 1949 (approved August 9, 1955) was enacted to authorize the vesting of assets in the United States owned by Bulgaria and Rumania and their nationals, other than natural persons. The exclusion of the latter category follows the American principle that the property of private individuals should not be used for the payment of debts arising out of acts of foreign governments. However, the proceeds from the liquidation of the other vested assets were transferred to special funds in the Treasury and used to pay compensation to qualified American claimants against the Governments of Bulgaria and Rumania.

Title III of the International Claims Settlement Act of 1949, also approved on August 9, 1955, contains certain administrative and general provisions relating to the Bulgarian and Rumanian claims programs. Additional information regarding these programs, both of which were completed on August 9, 1959, is set forth below.

Bulgaria

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84-285, approved Aug. 9, 1955).

Type of claims: Nationalization and war damage.

Dates of taking or loss: War damage, 1939-45; nationalization, 1945-55.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 391.

Amount asserted: \$25,455,927.

Number of awards: 217.

Amount of awards: Principal, \$4,684,187; interest, \$1,887,638.

Amount of fund: \$2,613,325.

Amount paid on awards: Approximately 50 percent.

Program completed: August 9, 1959.

On July 2, 1963, the United States entered into an agreement (see appendix) whereby Bulgaria agreed to pay an additional \$400,000 (payable in two equal installments of \$200,000 each, which were made on July 1,

1964, and July 1, 1965) as final settlement of total U.S. claims against the Government of Bulgaria.

Rumania

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84-285, approved Aug. 9, 1955).

Type of claims: Nationalization and war damage.

Dates of taking or loss: War damage, 1939-45; nationalization, 1945-55.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 1,073.

Amount asserted: \$259,742,036.

Number of awards: 498.

Amount of awards: Principal, \$60,011,348; interest, \$24,717,943.

Amount of fund: \$20,057,346.

Amount paid on awards: Approximately 30 percent.

Program completed: August 9, 1959.

Under the terms of an agreement dated March 30, 1960 (see appendix), Rumania agreed to pay the United States an additional \$2.5 million (payable in five installments of \$500,000 each beginning July 1, 1960) as final settlement of total claims against Rumania. All of the money due pursuant to the agreement has been received by the U.S. Treasury.

3. ITALIAN CLAIMS PROGRAM

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84-285, approved Aug. 9, 1955, and Public Law 85-604, approved Aug. 8, 1958).

Type of claims: War damage.

Date of loss: 1939 to 1947.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 2,246.

Amount asserted: \$27,412,985.

Number of awards: 482.

Amount of awards: Principal, \$2,730,146; interest, \$929,165.

Amount of fund: \$5 million.

Amount paid on awards: 100 percent.

Program completed: May 31, 1960.

Background: The Italian claims fund consisted of \$5 million which was paid to the United States by Italy in accordance with the terms of the Lombardo Agreement of August 14, 1947. This agreement resulted from negotiation for the return of approximately \$60 million of Italian assets which had been vested or blocked by the United States during World War II.

The purpose of the money in the Italian claims fund was, in general, to compensate claimants for losses relating to property located outside of Italy and attributable to Italian military action (e.g., losses on the high seas, in Greece, Yugoslavia, and other areas in which Italy engaged in military action), and certain personal injury and similar nonproperty losses which arose in Italy. Claims for losses relating to property located in Italy itself were provided for in the Italian Peace Treaty of September 15, 1947.

The money in the Italian claims fund was sufficient to pay all eligible claimants 100 cents on the dollar, and after the program was completed on May 31, 1960, there remained an unobligated balance of \$1,088,623.53. Since the Lombardo Agreement did not contain a reverter clause, this balance was retained by the United States, and, ordinarily, would be deposited in the miscellaneous receipts account of the Treasury. Pursuant to the provisions of S. 935, however, the Italian claims program will be reopened and extended to cover certain claims not previously compensable, and any balance remaining will be transferred to the war claims fund to reimburse, in some measure, that fund for money used to compensate prisoners of war who were detained by or in Italy during World War II.

4. POLISH CLAIMS PROGRAM

Authority: United States-Polish Agreement of 1960 and S. 935.

Type of claims: Nationalization or other taking and certain debt claims.

Dates of taking loss: 1945 to 1960.

Filing period: August 16, 1960, to March 31, 1962.

Number of claims: 10,239.

Amount asserted: \$1,143,565,517.

Number of awards: 3,230 (as of July 31, 1965).

Amount of awards: Principal, \$57,026,831.39; interest, \$29,982,841.15 (as of July 31, 1965).

Amount of fund: \$40 million (to be paid in 20 annual installments; \$10 million received).

Amount paid on awards: Approximately \$3 million.

Program completed: Date proposed by S. 935 is March 31, 1968.

Background: On January 3, 1946, the Government of Poland enacted legislation for the nationalization of basic branches of the national economy. Subsequently, on December 27 of the same year, representatives of the United States and Poland reached an informal preliminary agreement which provided that U.S. nationals should receive compensation from Poland in dollars for investments made in dollars, and in zlotys for other investments. The terms of payment of such compensation were left for a final agreement, but no such final agreement was signed because negotiations were broken off in 1947 and were not resumed until 1957. On July 16, 1960, after almost 3 years of negotiations, an agreement was signed by the United States and Poland (see appendix) whereby Poland agreed to pay \$40 million over a 20-year period in full settlement of all claims of U.S. nationals on account of nationalization or other taking of property in Poland.

The payment of the amount of \$40 million is to be made in 20 yearly installments of \$2 million each, beginning on January 10, 1961. The claims settled by the agreement are claims of U.S. citizens whose property, or rights and interest in property, were either (a) nationalized or otherwise taken (confiscated, expropriated, seized, condemned, etc.) by the Government of Poland; or (b) appropriated, or limited and restricted in their use or enjoyment under Polish laws, decrees, or other government measures. In addition, the agreement covers debts owed to American citizens by nationalized or confiscated enterprises, and debts which were a charge upon nationalized, appropriated, or otherwise taken property.

Claims based on dollar bonds issued or guaranteed by the Polish Government in the United States during the period 1919 to 1939 are not included in the agreement. The Polish Government has informed the United States that it intends to settle this bonded indebtedness by direct talks with American bondholders or their representatives.

The Foreign Claims Settlement Commission began its work in connection with the Polish claims program on September 1, 1960, under the authority of title I of the International Claims Settlement Act of 1949, as amended, which established procedures for the administration of such a program by the Commission. Pursuant to the provisions of S. 935, as amended by the Committee on Foreign Relations, the Commission is directed to complete its activities relating to the Polish claims program not later than March 31, 1968, which is 6 years from the last day for filing timely claims.

RULE OF LAW REGARDING ELIGIBILITY OF CLAIMANTS

In adjudicating claims under the above programs, the Foreign Claims Settlement Commission is directed to apply, with respect to claims under title I, the "provisions of" (b) and (c) of this section to the

the applicable claims agreement" and the "applicable principles of international law, justice, and equity," and with respect to claims under title III and IV, "applicable substantive law, including international law." In this connection, one of the principles adopted by the Commission deals with the eligibility requirements of a natural person to file a valid claim against another government. The Commission has adhered to the familiar rule of international law that, in order to be eligible to receive an award under the programs over which it has jurisdiction the claimant must show that his claim was owned by a national or nationals of the United States (not necessarily the same national or nationals) from the time it arose until the date of filing with the Commission.

It should be noted that this principle was consistently followed by the Committee on Foreign Relations in reporting legislation establishing the claims funded mentioned above. The only time the committee deviated from this principle was in 1958, when it approved an amendment relating to the Italian claims fund. In that case, however, money remained in the fund after all American claimants had received 100 cents on the dollar for their losses, and certain American claimants who became citizens after their losses occurred were precluded from recovering anything from Italy because of the above principle of international law. In these circumstances, the committee felt it would not be doing violence to the priority of right, which, as a matter of general practice, is maintained for those who were American citizens at the time of loss.

COMMITTEE ACTION AND RECOMMENDATION

The Subcommittee on Claims Legislation of the Committee on Foreign Relations held a public hearing on S. 1935 on August 5, 1965. The full committee considered the bill in executive session on August 10, and ordered it reported favorably with an amendment.

The committee amendment extends from March 31, 1966, to March 31, 1968, the period in which the Foreign Claims Settlement Commission is to complete its affairs in connection with the Polish claims program. Testimony was received indicating that additional time was needed in order to obtain from Polish authorities sufficient documentary evidence to support many of the claims which have been filed with the Foreign Claims Settlement Commission. The committee agrees that each claimant should be given adequate time in which to secure evidence to substantiate his claim, and it is believed that the 2-year extension provided for in the committee amendment will afford that opportunity.

The committee also made minor changes in S. 1935 for the purpose of correcting typographical errors. On page 2, line 24, the word "Government" was substituted for the word "Governor," and on page 6, line 19, the date "August 9, 1958" was changed to "August 9, 1955".

As was pointed out previously, the Government of Poland has already made payments amounting to \$10 million pursuant to the terms of the claims settlement agreement of July 16, 1960, and both Rumania and Bulgaria have completed payments in the amount of \$2,500,000 and \$400,000, respectively, under the terms of claims settlement agreements entered into earlier. S. 1935 will permit the Foreign Claims Settlement Commission to proceed with the orderly administration of these claims programs. It is recommended, therefore, that the Senate approve it without delay.

DISPOSITION OF GEOTHERMAL RESOURCES

The Senate proceeded to consider the bill (S. 1674) to authorize the Secretary

of the Interior to make disposition of geothermal steam and associated geothermal resources and for other purposes which had been reported from the Committee on Interior and Insular Affairs with amendments on page 3, line 4, after the word "of", to insert "other"; in line 9, after the word "this", to strike out "Act." and insert "Act, nor shall operations under leases issued pursuant to the provisions of this Act unreasonably interfere with or endanger operations under any lease, claim, or permit issued pursuant to the provisions of any other Act."; in line 25, after the word "to", to strike out "him." and insert "him, and except that in no case shall the use or production of such byproducts be permitted other than by the holder of preexisting leases, claims, and permits whenever the same or similar byproducts are being produced on the same land under other leases, claims or permits granted previously."; on page 5, line 17, after the word "in", where it appears the first time, to insert "Federal"; in line 18, after the word "exceeding", to strike out "one hundred thousand" and insert "fifty-one thousand two hundred"; on page 8, line 16, after "Sec. 11.", to strike out "Each lease under this Act shall be granted to the first qualified person making application therefor without competitive bidding." and insert "Subject to the provisions of subsections (a) and (b) hereof, if the lands to be leased under this Act are within any known geological structure of a geothermal resources field, they shall be leased to the highest responsible qualified bidder by competitive bidding under regulations to be formulated by the Secretary of the Interior. If the lands to be leased are not within any known geological structure of a geothermal resources field, the qualified person first making application for the lease shall be entitled to a lease of such lands without competitive bidding. Notwithstanding the foregoing, at any time within one hundred and eighty days following the effective date of this Act:

"(a) with respect to all lands which were on January 1, 1965, subject to valid leases or permits issued under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351-358), or to valid mining claims filed on or prior to January 1, 1965, the lessees or permittees or claimants who are qualified to hold geothermal leases shall have the right to convert such leases or permits or claims to geothermal leases covering the same lands; and

"(b) with respect to all lands which were on January 1, 1965, the subject of applications for leases or permits under the above Acts, the applicants may convert their applications to applications for geothermal leases having priorities dating from the time of filing of such applications under such Acts."; on page 10, line 5, after the word "minerals", to strike out "extracted or produced under the lease" and insert "derived from production under the lease and sold or utilized by the lessee"; in line 16, after the word "than", to strike out "50 cents" and insert "\$1"; and, in line 22, after the

word "of", to strike out "\$1.00" and insert "\$2"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter referred to as the Secretary), may issue leases for the development and utilization of geothermal steam and associated geothermal resources (1) in lands administered by him, and (2) in any national forest or other lands administered by the Department of Agriculture through the Forest Service whether withdrawn or acquired, subject to section 4 hereof.

Sec. 2. The short title of this Act shall be the Geothermal Steam Act of 1965.

Sec. 3. For the purposes of this Act, geothermal steam and associated geothermal resources shall include all fluid products of geothermal processes, embracing steam, naturally heated water and brines, and any mineral or other product derived from any of them, including heat or other energy, but excluding oil, hydrocarbon gas, and helium.

Sec. 4. Where the lands sought for use or development under this Act have been withdrawn, or were acquired, in aid of a function of a Federal department or agency other than the Department of the Interior, the Secretary may issue leases under this Act only with the consent of, and subject to such terms and conditions as may be prescribed by, such Federal department or agency to insure the adequate utilization of the lands for the purposes for which they are administered, or for which they were acquired.

Sec. 5. Leases under this Act may be issued only to citizens of the United States, associations of such citizens, or corporations organized under the laws of the United States or of any State thereof, or to governmental units, including, without limitation, municipalities.

Sec. 6. Administration of this Act shall be under the principles of multiple use of public lands and resources, and shall allow coexistence of other leases of the same lands for deposits of other minerals under applicable laws, and the existence of leases issued pursuant to the provisions of this Act shall not preclude other uses of the areas covered thereby. However, operations under such other leases or such other uses shall not unreasonably interfere with or endanger operations under any lease issued pursuant to this Act, nor shall operations under leases issued pursuant to the provisions of this Act unreasonably interfere with or endanger operations under any lease, claim, or permit issued pursuant to the provisions of any other Act. Nor shall this Act be construed as superseding the authority which the head of any Federal department or agency has with respect to the management, protection, and utilization of the Federal lands and resources under his jurisdiction.

Sec. 7. Where the production, use, or conversion of geothermal energy through the medium of geothermal steam is also susceptible of producing other valuable products and minerals incidental thereto, substantial beneficial use of production of such byproducts shall be required, except that the Secretary in individual circumstances may modify or waive this requirement in the interests of conversion of natural resources or for other reasons satisfactory to him, and except that in no case shall the use or production of such byproducts be permitted other than by the holder of preexisting leases, claims, and permits whenever the same or similar byproducts are being produced on the same land under other leases, claims, or permits granted previously.

Sec. 8. Leases under this Act shall be for a primary term of fifteen years, and so long thereafter as geothermal steam or energy

is produced or utilized in commercial quantities. Any lease issued under this section for land on which, or for which under an approved cooperative or unit plan of development or operation, actual drilling operations were commenced prior to the end of its primary term and are being diligently prosecuted at that time shall be extended for five years and so long thereafter as geothermal steam or energy is produced or utilized in commercial quantities. Leases which have extended by reason of production, and have been determined by the Secretary to be incapable of further commercial production or utilization of energy from geothermal steam, may be further extended for a period not to exceed five years from the date of determination by the Secretary that the leasehold has become nonproductive of geothermal energy, but only for so long as one or more valuable byproducts of geothermal production are produced in commercial quantities.

If such subsisting valuable byproducts are leaseable under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351-358), and the leasehold is primarily valuable for the production thereof, the lessee shall be entitled to convert his geothermal lease to a mineral lease under such appropriate Act upon application within the period of lease extension by reason of byproduct production.

Sec. 9. Leases under this Act shall embrace a reasonably compact area of not less than six hundred and forty acres and not more than two thousand five hundred and sixty acres, except where occasioned by an irregular subdivision or by irregular subdivisions. No person, association, or corporation except as otherwise provided in this Act, shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, any direct or indirect interest in Federal geothermal leases in any one State exceeding fifty-one thousand two hundred acres. At any time after fifteen years from the effective date of this Act, the Secretary, after public hearings, may reduce the aforesaid maximum holding by regulation.

Sec. 10. The Secretary shall prescribe such rules and regulations as he may deem appropriate to carry out the provisions of this Act. Such regulations may include, without limitation, provisions for (a) the prevention of waste, (b) development and conservation of geothermal and other natural resources, (c) the protection of the public interest, (d) assignment, segregation, extension of terms, relinquishment of leases, development contracts, unitization, pooling, and drilling agreements, (e) compensatory royalty agreements, suspension of operations or production, and suspension or reduction of rentals or royalties, (f) the filing of surety bonds to assure compliance with the terms of the lease and to protect surface use and resources, (g) use of the surface by lessee of the lands embraced in his lease, and (h) the maintenance by the lessee of an active development program.

For the purpose of more properly conserving the natural resources of any geothermal pool, field, or like area, or any part thereof, lessees thereof and their representatives may unite with each other, or jointly or separately with others, in collectively adopting and operating under a cooperative or unit plan of development or operation of such pool, field, or like area, or any part thereof, whenever determined and certified by the Secretary to be necessary or advisable in the public interest. The Secretary is authorized, in his discretion, with the consent of the holders of leases involved, to establish, alter, change, or revoke such leases and to make such regulations with reference to such leases, with like consent on the part of the lessees, in connection with the in-

stitution and operation of any such cooperative or unit as he may deem necessary or proper to secure reasonable protection of the public interest. The Secretary may provide that geothermal leases shall contain a provision requiring the lessee to operate under such a reasonable cooperative or unit plan, and he may prescribe such a plan under which such lessee shall operate, which shall adequately protect the rights of all parties in interest, including the United States. Any such plan may, in the discretion of the Secretary, provide for vesting in the Secretary or any other person, committee, or agency of the Federal or State Governments designated therein, authority to alter or modify from time to time the rate of prospecting and development and the quantity and rate of production under such plan. All leases operated under any such plan approved or prescribed by the Secretary shall be excepted in determining holdings or control for the purposes of section 9 of this Act.

When separate tracts cannot be independently developed and operated in conformity with an established well-spacing or development program, any lease, or a portion thereof, may be pooled with other lands, whether or not owned by the United States, under a communitization or drilling agreement providing for an apportionment of production or royalties among the separate tracts of land comprising the drilling or spacing unit when determined by the Secretary to be in the public interest, and operations or production pursuant to such an agreement shall be deemed to be operations or production as to each lease committed thereto.

The Secretary is hereby authorized, on such conditions as he may prescribe, to approve operating, drilling, or development contracts made by one or more lessees of geothermal leases, with one or more persons, associations, or corporations whenever, in his discretion, the conservation of natural products or the public convenience or necessity may require or the interests of the United States may be best subserved thereby. All leases operated under such approved operating, drilling, or development contracts, and interests thereunder, shall be excepted in determining holdings or control under section 9 of this Act.

Sec. 11. Subject to the provisions of subsections (a) and (b) hereof, if the lands to be leased under this Act are within any known geological structure of a geothermal resources field, they shall be leased to the highest responsible qualified bidder by competitive bidding under regulations to be formulated by the Secretary of the Interior. If the lands to be leased are not within any known geological structure of a geothermal resources field, the qualified person first making application for the lease shall be entitled to a lease of such lands without competitive bidding. Notwithstanding the foregoing, at any time within one hundred and eighty days following the effective date of this act:

(a) with respect to all lands which were on January 1, 1965, subject to valid leases or permits issued under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351-358), or to valid mining claims filed on or prior to January 1, 1965, the lessees or permittees or claimants who are qualified to hold geothermal leases shall have the right to convert such leases or permits or claims to geothermal leases covering the same lands; and

(b) with respect to all lands which were on January 1, 1965, the subject of applications for leases or permits under the above Acts, the applicants may convert their applications to applications for geothermal leases having priorities dating from the time

of filing of such applications under such Acts.

The conversion of leases, permits, and mining claims and applications for leases and permits shall be accomplished in accordance with procedures prescribed by the Secretary.

Sec. 12. Leases issued under this Act will provide for:

(a) a royalty of 10 per centum of the amount or value of steam, or any other form of heat or energy derived from production under the lease and sold or utilized by the lessee;

(b) a royalty of not less than 5 per centum of the value of minerals derived from production under the lease and sold or utilized by the lessee; except that as to any mineral enumerated in section 1 of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181), the minimum rate of royalty for such mineral shall be as provided in that Act and the maximum rate of royalty for such mineral shall not exceed the maximum royalty payable upon it under any lease executed pursuant to that Act;

(c) payment in advance of an annual rental of not less than \$1 per acre or fraction thereof for each year of the lease. If there is no well on the leased lands capable of producing geothermal resources in commercial quantities, the failure to pay rental on or before the anniversary date shall terminate the lease by operation of law;

(d) a minimum royalty of \$2 per acre in lieu of rental payable at the expiration of each lease year for each producing lease, commencing with the lease year beginning on or after the commencement of production in commercial quantities;

(e) for the purpose of determining royalties hereunder the value of any geothermal steam or energy used by the lessee and not sold shall be determined by the Secretary, who shall take into consideration the cost of exploration and production and the economic value of the resource in terms of its ultimate utilization.

Sec. 13. The holder of any geothermal lease at any time may make and file in the appropriate land office a written relinquishment of all rights under such lease or of any legal subdivision of the area included within any such lease. Such relinquishment shall be effective as of the date of its filing, subject to the continued obligation of the lessee and his surety in accordance with the applicable lease terms and regulations: (1) to make payment of all accrued rentals and royalties, (2) to place all wells on the lands to be relinquished in condition for suspension or abandonment, and (3) to protect or restore the surface and surface resources; thereupon the lessee shall be released of all obligations thereafter accruing under said lease with respect to the lands relinquished, but no such relinquishment shall release such lessee, or his bond, from any liability for breach of any obligation of the lease, other than an obligation to drill, accrued at the date of the relinquishment.

Sec. 14. Subject to the other provisions of this Act, lessees shall be entitled to use so much of the surface, as may be deemed necessary by the Secretary, for the production and conservation of geothermal resources.

Sec. 15. The Secretary may waive, suspend, or reduce the rental or minimum royalty for any lease or portion thereof in the interests of conservation and to encourage the greatest ultimate recovery of geothermal resources, if he determines it is necessary to promote development, or finds that the lease cannot be successfully operated under the lease terms.

Sec. 16. The Secretary, upon application, may suspend operations and production on a producing lease. On his own motion, the Secretary, in the interest of conservation, may suspend operations on any lease, but in any such case he shall extend the lease term for the period of any suspension.

SEC. 17. Upon request of the Secretary, other Federal departments and agencies shall furnish him with any relevant data then in its possession or knowledge concerning or having bearing upon fair and adequate charges to be made for geothermal steam or other form of geothermal energy produced for conversion to electric power or other purposes. Data given to any Federal department or agency as confidential under law shall not be furnished in any fashion which shall identify or tend to identify the business entity whose activities are the subject of such data, or the person or persons who furnished such information.

SEC. 18. All moneys received under this Act from public lands under the jurisdiction of the Secretary of the Interior shall be disposed of in the same manner as moneys received from the sale of public lands. Moneys received under this Act from other lands shall be disposed of in the same manner as other receipts from such lands.

SEC. 19. Leases may be terminated by the Secretary for any violation of the regulations or lease terms after thirty days' notice, but the lessee shall be entitled to a hearing on the matter if request for the hearing is made to the Secretary within the thirty-day period after notice.

SEC. 20. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to the exemption from State water laws.

The amendments were agreed to.

MR. BIBLE. Mr. President, geothermal steam, the natural underground deposits of earth-heated energy, is a valuable resource that has been neglected much too long in the United States. Our Nation is far behind many others in harnessing this "instant energy," as I like to call it. The legislation before us, S. 1674, is designed specifically to correct this situation. I consider this goal clearly vital to our Nation's orderly development of natural resources.

The development of geothermal steam to generate electricity, to produce minerals and to provide heat has proven to be commercially feasible and extremely useful in several countries, notably New Zealand, Italy, Iceland, and the Soviet Union. Yet, despite an abundance of underground steam deposits in this country, there have been only a few pioneer developments, principally in California.

The main problem in the United States has been the fact that most geothermal steam resources are found on Federal lands, and there are no specific provisions in Federal law giving access to them. This bill, which I sponsored, is designed to correct that situation and in so doing to promote orderly and beneficial use of this readymade energy.

I should point out that the bill is the product of more than 4 years of work and has benefited from the active concern of the Senate Committee on Interior and Insular Affairs, the Department of the Interior, members of the infant industry interested in this resource, and the many interested Senators. Because it deals with a relatively new and untried area the legislation involves several unique questions. We have borrowed from the practical experiences of mineral, oil, and gas leasing laws where we could, but many questions have been unique in nature and have required original answers.

In my opinion, the results embodied in the bill are fair and workable.

Under this legislation, Congress sets the basic guidelines for leasing public lands for geothermal steam development. At the same time, the Department of the Interior is given adequate authority for intelligent administration of the leases, and private industry is offered incentive and protection in carrying out the development. I believe the result will be a new era in resource development.

Certainly there is a great need to develop this resource. Just as certainly, the potential benefits are immense. This energy that has been wasting away for countless centuries can bring low-cost power to many areas of the Nation now virtually isolated from our great hydroelectric projects. It can supply heat at reasonable cost in areas where regular fuels to produce heat are scarce and expensive. It can yield minerals that are otherwise unaccessible and it can foster a new industry that will contribute substantially to our expanding economy.

The bill has the approval of the Senate Committee on the Interior and the Department of the Interior, and it has enthusiastic endorsement from private industry. I urge the Senate to act affirmatively on it now so that congressional action can be completed as early as possible.

MR. KUCHEL. Mr. President, I support, enthusiastically, S. 1674, the much needed authorization to the Secretary of the Interior to enter into leases for the development of geothermal steam on the public lands of the United States.

The development of geothermal steam is a new, unique, and challenging industry. In the past few years there has been a greatly increased worldwide search for sources of low-cost energy. While geothermal deposits have been utilized to create electrical power for many years in several European countries, most of the exploratory activity in the United States has been concentrated in my great State of California. In fact, the only commercial development has been established in northern California.

One of our fine industrial concerns has expended considerable funds in pioneering the harnessing of this steam for sale to be used to create electrical energy. Other interested companies have likewise made substantial investments in attempting to discover and put to use geothermal steam deposits, to date only on private lands.

The Department of the Interior and the industry are convinced that the greater part of the geothermal resources of the United States are located in the public domain. At the present, there are no provisions in the law by which developers can apply for and receive leases for the exploration and development of these lands. There is also no way that the Federal Government can utilize fully these natural underground steam-energy deposits.

Some developers have used the general mining laws and filed placer mining claims because of the assorted byproducts and valuable minerals that are sometimes found suspended in the steam. Other have filed oil and gas leases under the Mineral Leasing Act, not to develop oil and gas but to explore and de-

velop geothermal energy. Neither of these methods has led to the orderly disposition of geothermal steam and associated geothermal resources under basic principles of public land management and conservation.

It is readily apparent that this confusion must be corrected. I salute my able colleague from Nevada, Senator BIBLE, who, after more than 4 years of study, research, and work, has presented to us a bill which will give the Secretary the proper machinery to develop the substantial potential that underlies our public lands.

Under the terms of S. 1674, the Secretary of the Interior will now be able to enter into leases, following specific guidelines established by Congress; standards which will allow the development on our public domain of what some geologists believe may be geothermal deposits which may constitute an inexhaustible form of electrical energy. We will now be able to realize an effective and economic long-run development of this vast and valuable resource.

I sincerely urge the Senate to enact this legislation.

MR. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Let's Tap Nature's Steam Plants," written by the distinguished senior Senator from Nevada [MR. BIBLE] and published in the magazine *Public Utilities Fortnightly* for August 19, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From *Public Utilities Fortnightly*,
Aug. 19, 1965]

LET'S TAP NATURE'S STEAMPLANTS

(By the Honorable ALAN BIBLE, U.S. Senator from Nevada)

(NOTE.—Why are we, in this country, wasting a valuable natural resource by failing to develop commercially the instant energy provided by geothermal steam deposits? Legislation is now being advocated to protect both the public interest and encourage private industry to get on with the job of exploitation of this source of energy.)

Mother Nature does a pretty good job of supplying man's industrial needs. The earth abounds in most raw materials for industry and in the fuel energy to put these materials to work for us. Rarely, however, is Mother Nature so obliging as she is with geothermal steam.

By providing geothermal steam deposits, she has served up a prepared dish of energy. And she tosses in a side order of valuable minerals to boot. It does not have to be converted, refined, or transported. It is pre-cooked energy, ready to produce.

On top of all this, geothermal steam is not very difficult to find. In many areas of our Nation, principally in the West, these natural underground steam deposits signal their locations with white plumes of steam bubbling from springs. Coincidentally, they are often found in areas which have no other readily available sources of energy.

If nature wants to be so generous and obliging with geothermal steam, why hasn't man taken advantage of her gift? He has been ingenious in other areas but his efforts to date in geothermal steam have been extremely limited, despite the fact that commercial feasibility has been proven.

Actually, several problems have impeded the development of geothermal steam. The process of harnessing this energy is not quite

so simple as I may have implied, for one thing. For another, the instant energy benefit of this resource can be as much a problem as it is a blessing. However, the biggest single stumbling block is the U.S. Government. Legislation to remove this stumbling block necessarily has to be the first order of business in any major program to develop natural steam. This is why I have taken so active an interest in the problem.

If Uncle Sam can become a helper instead of a hinderer, I am confident other problems associated with geothermal steam development can be quickly solved. The benefits of this energy resource, I think, are obvious. The potential is boundless. The advantages are enormous.

What is geothermal steam, exactly? And why is Uncle Sam so involved in what is and should be a private enterprise development field?

Geothermal energy is, quite literally earth-heat energy. It is commonly known but often forgotten that the earth is considerably hotter within than it is without. This difference in temperature causes heat to flow to the surface where it is dissipated in the atmosphere.

When ground water is heated by a body of hot residual volcanic rock at relatively shallow depth it rises rapidly, following cracks and fissures. Old Faithful Geyser in Yellowstone National Park is a more spectacular example of this condition. Geysers are uncommon enough to be curiosities, but geothermal steam is actually widespread and much more abundant than is commonly realized.

The new geology of Nevada and California makes areas of these States particularly promising for the development of this latent energy. Yet we are only beginning to realize the potential of geothermal steam as a power and mineral source.

COMMERCIAL DEVELOPMENT IS FEASIBLE

When I said the development of geothermal steam has already been demonstrated to be commercially feasible, I referred to projects in Italy and New Zealand as well as in our own country. This background was brought out during initial hearings on my geothermal steam bill before the Senate Interior Subcommittee on Mines, Minerals, and Fuels in 1963. It was in Italy, in fact, that geothermal steam was first used for generating power. A hot spring area near Florence, long used as a health resort, was converted to power production in the late 1930's. Before World War II it was producing some 100,000 kilowatts of electric power. Those powerplants were destroyed by the Germans during the war; but they were rebuilt and now produce more than 300,000 kilowatts from 24 generating units. A flourishing chemical industry, mainly in boron products, has also developed from these geothermal steam resources.

New Zealand's spectacular geyser and fumarole fields near Wairakei attracted power production activity only a few years ago. Yet, by 1958, the government there was producing 65,000 kilowatts and is continuing to expand as industrial and population demands warrant. Other nations, including Russia, Iceland, Japan, Mexico, and the several Central and South American countries, have actively been pursuing the possibilities of geothermal power for several years. Prospects are particularly bright in Iceland.

Efforts to harness geothermal steam in the United States date back to 1924 when a premature attempt was made to tap the energy of several shallow wells in Big Geysers, Calif. There was considerable success, but there was also considerable opposition in the form of cheap and plentiful hydroelectric power at that time.

Magma Power Co., according to testimony before the subcommittee, revived exploration and development efforts in 1955 at Big Geysers

and in several other areas, including my own State of Nevada. One result has been the establishment and operation of the first geothermal steam powerplant in the Nation at Big Geysers. Pacific Gas & Electric Co. has just recently completed its second powerplant at this location, and the total power production is fixed at about 28,000 kilowatts. Representatives of the industry call the venture "eminently successful both technically and economically."

Drilling has also disclosed commercial quantities of geothermal steam at Brady Hot Springs, Steamboat Hot Springs, and Beowawe in Nevada and at Casa Diablo, Calif. The most dramatic, it not the most significant, development, however, has been in the Salton Sea region of southern California—oddly enough an area that had few surface manifestations of underground steam.

Relatively deep drilling on private lands in this region not only brought in large volumes of steam but tapped boiling brines rich in chemicals which have commercial importance. Installation of a pilot plant to refine the chemicals followed, and it was indicated that the chemicals produced from this venture might exceed the value of the steam that led to the original investment.

It should be noted, of course, that the presence of water and minerals in steam can be a problem as well as a blessing. Corrosive elements in some natural steam deposits can render them commercially useless in some instances, or at least make it difficult to deliver the energy at a reasonable expense.

THE GOVERNMENT IS A STUMBLING BLOCK

The Federal Government is involved in this promising field because the bulk of geothermal steam deposits is located on the public domain. And while there are ample provisions to lease Federal lands for mining or for oil and gas production, none exist for geothermal steam development.

Limited attempts to explore or develop natural steam on public lands so far have been under the existing Mineral Leasing Act or by staking mining claims. However, without the protection of specific legislation there has been an understandable reluctance in private industry to invest in any significant degree in any pioneer project.

The problem of writing effective laws to encourage development is much like geothermal steam itself—it looks quite simple on the surface, but it becomes complex when you dig into it.

In plumbing the geothermic depths in Congress, we have had the question of whether to amend existing mineral leasing or mining patent laws or whether to write a new act. Is steam to be considered water? Gas? Mineral?

That is just the beginning to the questions, for this is a pioneer field for the Federal Government as well as for industry. We must also attempt to determine what is a "fair and reasonable" rent and royalty. We need to decide the size and terms of leases and how best to make them available to private industry.

One basic question in writing the law does not involve the resource itself but a disagreement over Government philosophy. It can be stated briefly in this manner: How many of the specifics should be written into law by Congress and how many should be delegated to the administrative discretion of the Interior Department?

In response to my first geothermal steam bill, the Interior Department submitted proposed amendments that are considered by many members of the committee to be a blank check for Congress to delegate almost all authority in the matter to the department. The infant industry opposed this because it offered no firm future guidelines for sizable investments.

The Department also favored smaller leases and tighter limitations on the extent of

leaseholdings. This also was opposed by the industry.

PROPOSED LEGISLATION

I cannot say at this point exactly what final form this important legislation will take. However, the bill I introduced in the current session of Congress benefited from our previous hearings and attempts to find a just and reasonable midpoint in these divergent approaches.

I believe private enterprise needs and deserves solid ground to establish this new industry. But I also believe the Interior Department, which is responsible for administering our public domain, must have some discretion. Geothermal steam is too new a field for rigid laws.

My current bill recognizes both needs. It does not write a blank check to the Interior Department. But there is also reasonable authority for administrative flexibility. I have tried to write a law that offers every possible encouragement to industry. I have also tried to write a law that amply protects the public interest, for we cannot forget we are dealing with the public domain.

Congress should spell out the basic guidelines clearly and permanently in the new law. It should set the acreage limits and fix the terms of geothermal steam leases. It should recognize the pioneer nature of geothermal developments and give industry plenty of space with which to explore, build, and expand.

Congress must also recognize that many unforeseen problems are bound to arise and make certain the Interior Department has ample authority to meet them. The Department must be able to enforce necessary resource conservation measures and to help keep development in a constructive and beneficial channel. It must be able to see that public lands taken for geothermal steam development are, indeed, used for that purpose.

Finally, both Congress and the Interior Department and the industry must recognize and respect the multiple-use concept for public lands. And they must observe and respect State water laws and local interests.

I have no doubt that these principles can be followed and that the many questions raised by the development of geothermal steam on public lands can be settled. They are minor when compared with the potential benefits to be realized by both the public and private industry.

Nature's steamplants have been built and operated for many, many years. It is time we begin to use them.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1674) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 683), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Action by the committee in ordering S. 1674, as amended, reported favorably after public hearings was unanimous. The execu-

tive agencies are in support of the purposes and intent of the measure.

BACKGROUND AND PURPOSE

S. 1674, which is sponsored by Senator BIBLE, of Nevada, would open to development by private enterprise an untapped natural resource of the publicly owned lands of the United States, providing new sources of electrical energy and new sources of minerals. This resource is geothermal steam and associated geothermal resources.

Although geothermal deposits are known to exist in a number of places in the public-lands States, there is presently no authority under Federal law for their development. S. 1674 would authorize the Secretary of the Interior to lease these deposits under specified conditions and guidelines, making possible the establishment of new industries and bringing additional revenues into local, State, and Federal treasuries.

S. 1674 is based in large part on S. 883 of the 88th Congress, also sponsored by Senator BIBLE. This latter measure was reported favorably with an amendment in the nature of a substitute after extensive hearings, and passed the Senate on August 21, 1964. However, the House failed to act on the Senate passed bill.

Although, as stated above, the resources and uses of geothermal steam have been only slightly explored, particularly on the public domain, enough is known from experience on privately owned lands and from operations in other countries to warrant encouragement for further development. Of apparent primary importance at this time is the use of the superheated pressurized ground waters for the production of electric energy. But also in a number of locations these waters from far beneath the surface of the earth are known to contain valuable minerals, such as lithium, gold, silver, rare metals, and mineral salts, which are recoverable.

In the United States a geothermal steam electric generating plant and transmission company has been in successful operation for a number of years. This is a privately operated development in Sonoma County, Calif., at which Magma Power Co., operating in association with Thermal Power Co., produces power from geothermal steam and sells it to the Pacific Gas & Electric Co. Production of electric power from geothermal steam also has proved commercially feasible and is in operation at installations in other countries, notably Italy, New Zealand, and Iceland.

Impetus for the legislation has come both from the executive branch and from potential developers who have endeavored to obtain access to the geothermal resources of the public domain under other provisions of Federal law, notably the mining law of 1872, and the Mineral Leasing Act of 1920. The bill, as amended, would protect the enterprise and investment of money and time of such persons.

THE COMMITTEE AMENDMENTS

The committee has amended S. 1674 to comply, in part, with the substance of the recommendations of the Department of the Interior set forth in the draft legislation transmitted by executive communication of July 21, 1965. Also adopted were several of the suggestions made in the hearings by spokesmen for various segments of private industry interested in development of geothermal resources.

The first such amendment is on page 3, line 9, to make clear that the holders of geothermal leases issued under this act shall not interfere unreasonably with operations already initiated on a tract subject to prior lease, mining claim, or permit.

On line 2, page 3, the committee has added an exception to the requirement in section 7 that a geothermal lessee must develop all

of the resources covered by his lease. Absent this exception, if geothermal leases were granted on lands already subject to mining claims or a lease issued under the Mineral Leasing Act, the language of section 7 would obligate the geothermal lessee to recover byproducts which were already being produced by the mining law claimant or Mineral Leasing Act lessee. Thus, two or more holders of rights might be, by operation of law, in conflict and competition on the same tract of publicly owned land.

On page 5, lines 8-10, the committee reduced the number of acres any one individual, association, or corporation may hold under geothermal steam lease in any State to 51,200 acres from the 100,000-acre limitation in the measure as introduced.

The amendments to section 11, page 8, beginning line 7, set forth the committee's compromise between the recommendation of the Department of the Interior, which would make all geothermal leasing subject to competitive leasing, and the original bill. That is, the committee followed, in substance, the provisions of the Mineral Leasing Act with respect to oil and gas by making lands within a geological structure known to be valuable for geothermal resources subject to competitive bidding, while providing that "wildcat lands" shall be available on a priority basis to the first qualified applicant.

The committee is informed that the U.S. Geological Survey is qualified to determine, on scientific and technical criteria, what is a "known geologic structure of a geothermal resources field." The committee expects that the Secretary will adopt regulations based on such criteria which will afford stability and certainty to the infant geothermal industry.

In this connection, the committee reemphasizes the legislative intent that the Secretary of the Interior should encourage, in every way possible, the development of the geothermal resources of the publicly owned lands, and should not impose upon small independent operators the expenses and burdens of competitive bidding or other restrictions except where necessary to prevent a patent "windfall" of publicly owned resources.

Also to section 11 the committee has added the "grandfather clause" amendment under which persons who, as of January 1, 1965, were holders of valid mineral leases or claims under the mining law could convert such leases or claims within a period of 6 months to geothermal leases under this act. In addition, applicants for mineral leases or permits could convert their applications to applications for geothermal leases. These "grandfather" rights are intended to apply to leases, claims, or permits on both known and wildcat structures.

This amendment is in accord with the committee's conviction that persons and groups who have invested money and time in developing, or in taking preliminary steps toward developing geothermal resources should have their enterprise and investment protected. Such persons, the committee believes, have equities, at least, that should be recognized.

On pages 9 and 10, section 12 has been amended to increase rentals to not less than \$1 an acre per year on nonproducing leases, and to \$2 an acre minimum royalty in lieu of rental on producing leaseholds.

OTHER PROVISIONS OF BILL

In addition to the amendments explained above, other provisions of S. 1674 define "geothermal steam and associated geothermal resources," specifically incorporate into the law the principle of multiple use, set forth the primary term of geothermal leases (15 years), and authorize the promulgation of regulations by the Secretary of the Interior to carry out the act, including the maintenance of active development programs on lands under geothermal lease, and the surface uses of the lands so leased.

With respect to what lands are open to geothermal leasing, the committee rejected a proposed amendment of the Department of the Interior to exclude fish and wildlife lands. No evidence was presented showing that geothermal leasing, under proper safeguards, would be inimical to uses for fish and wildlife purposes. Vast acreages in many of the Western States have been declared, by administrative fiat, withdrawn for fish and wildlife purposes, and to shut such areas up from the development of any of their other resources seem unnecessary, inequitable to the State concerned, and contrary to the principle of multiple use.

COST

Enactment of S. 1674 would not require any appreciable increases in appropriation of Federal funds. The only costs would be relatively minor ones of administration, including surveys and determinations by the Geological Survey of geothermal structures.

On the contrary, the bill would make possible the development of presently untapped natural resources of the publicly owned lands of the United States, which would be the foundation of new industries bringing new revenues to both the States and the Federal Government.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

The bill (S. 2064) to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Claims Settlement Act of 1949, as amended, is further amended by adding section 216 at the end of title II thereof, as follows:

"Sec. 216. (a) Notwithstanding any other provision of this Act or any provision of the Trading With the Enemy Act, as amended, any person—

"(1) who was formerly a national of Bulgaria, Hungary, or Rumania, and

"(2) who, as a consequence of any law, decree, or regulation of the nation of which he was a national discriminating against political, racial, or religious groups, at no time between December 7, 1941, and the time when such law, decree, or regulation was abrogated enjoyed full rights of citizenship under the law of such nation, shall be eligible hereunder to receive the return of his interest in property which was vested under section 202(a) hereof or under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania if 25 per centum or more of the outstanding capital stock of such corporation was owned at the date of vesting by such persons and nationals of countries other than Bulgaria, Hungary, Rumania, Germany, or Japan, or if such corporation was subjected after December 7, 1941, under the laws of its country, to special wartime measures directed against it because of the enemy or alleged enemy character of some of all of its stockholders; and no certificate by the Department of State as provided under section 207(c) hereof shall be required for such persons.

"(b) An interest in property vested under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania shall be subject to return under subsection (a) of this section only if a notice of claim for the return of any such

interest has been timely filed under the provisions of section 33 of that Act. In the event such interest has been liquidated and the net proceeds thereof transferred to the Bulgarian Claims Fund, Hungarian Claims Fund, or Rumanian Claims Fund, the net proceeds of any other interest transferable but not yet transferred to the same Fund may be used for the purpose of making the return hereunder.

"(c) Determinations by the designee of the President or any other officer or agency with respect to claims under this section, including the allowance or disallowance thereof, shall be final and shall not be subject to review by any court."

Sec. 2. The first sentence of section 207(c) of the International Claims Settlement Act of 1949, as amended, is amended to read as follows:

"(c) The sole relief and remedy of any person having any claim to any property vested pursuant to section 202(a), except a person claiming under section 216, shall be that provided by the terms of subsection (a) or (b) of this section, and in the event of the liquidation by sale or otherwise of such property, shall be limited to and enforced against the net proceeds received therefrom and held by the designee of the President."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 684), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 2064 is to permit the return of indirect (stockholder) interests in certain enemy corporations vested under title II of the International Claims Settlement Act, or under the Trading With the Enemy Act, to persecutees normally barred from such return by reason of being nationals of Bulgaria, Hungary, or Rumania, which countries were enemies of the United States during World War II. It is identical to a bill (S. 2634) which was approved by the Senate on May 26, 1960.

BACKGROUND

Title II of the International Claims Settlement Act deals with the property of Bulgaria, Hungary, or Rumania, or any national thereof, vested under the Trading With the Enemy Act of 1917, as amended, or blocked under Executive Order 8389, as amended, and provides for the vesting and liquidation of such blocked property which is not owned directly by a natural person. Section 207 presently provides that a claim may be filed for the return of property vested under title II by a person who was not a national of Bulgaria, Hungary, or Rumania on the effective date of Executive Order 8389 (March 4, 1941, for Rumania, and March 13, 1941, for Bulgaria and Hungary). In addition, section 207(c) provides for the allowance of claims by such persons based on ownership of shares of stock in a corporation whose property was vested under title II, if 25 percent or more of the outstanding capital stock or other proprietary interest in the corporation was owned on the date of vesting by nationals of countries other than Bulgaria, Hungary, Rumania, Germany, or Japan. However, section 207(c) makes no similar provisions in the case of stock in such corporations which is owned by persecutees.

On the other hand, under section 32(a) (2) (C) and (D) of the Trading With the Enemy Act, vested property may be returned to individuals who, regardless of nationality, were persecutees of former enemy countries, including Bulgaria, Hungary, and Rumania. The Trading With the Enemy Act does not, however, provide for the return to such persecutees or to nonenemy nationals of their

proportionate share in the vested assets of enemy corporations in which they had an interest.

As the law now stands, therefore, only those vested properties which were directly owned by persecutees of the former enemy countries are returnable to these owners. In other words, a persecutee does not now have a right to the return of property if his interest in it is indirect; that is, if it is expressed through ownership of stock in a corporation. In these circumstances, it is possible that the same persecutee could be treated as a friend in the case where his ownership is direct and as an enemy in the case where his ownership is indirect.

EFFECTS OF S. 2064

S. 2064 would eliminate the inequity and place persecutees with an indirect (stockholder) interest in a vested property in the same status as persecutees with a direct interest in a vested property. Moreover, it would apply the same principle whether the property was vested by the United States under the International Claims Settlement Act or the Trading With the Enemy Act. The only condition, assuming that in all other respects the persecutee's claim is a valid one, is that the corporation in which he had an interest was at least 25 percent owned by persecutees or was treated as enemy owned by the Government of Bulgaria, Hungary, or Rumania.

S. 2064 makes these benefits to persecutees having interests in property vested under the Trading With the Enemy Act, such as property of Bulgarian, Hungarian, and Rumanian corporations, contingent upon timely claim having been filed under Trading With the Enemy Act. In this connection, however, it should be noted that in the event a return is to be made to a persecutee of one country only funds held by the Office of Alien Property for future transfer to that country's claims fund in the Treasury can be drawn upon for the purpose of making such return.

COMMITTEE ACTION

On August 5, 1965, the ad hoc Subcommittee on Claims of the Committee on Foreign Relations held a public hearing on several claims bills, including S. 2064. No witness appeared in opposition to the measure, and, as was pointed out previously, it is identical to a bill (S. 2634) which was approved by the Committee on Foreign Relations and the Senate in 1960. (See S. Rept. 1419, 86th Cong., 2d sess.). The committee considered S. 2064 in executive session on August 10, 1965, and ordered it reported favorably to the Senate.

CONCLUDING COMMENTS

As far as can be determined, S. 2064 would affect four stockholders or their heirs of one substantial seized property, the Chinlon Chemical & Pharmaceutical Works, Ltd., a Hungarian firm. Based on the percentage of the stockownership of the prospective claimants (none of whom is a U.S. citizen), approximately \$120,000 is involved. The assets of the corporation were liquidated by the Office of Alien Property and the net proceeds were deposited in the Hungarian claims fund in the Treasury. Subsequently, pro rata payments were made to American citizens who had claims against the Government of Hungary.

The claimants dealt with here are not and never have been American citizens. They were persecuted by enemy governments, and the proceeds of their property should never have been paid into the Hungarian claims fund in the first place, but rather should have been returned to them. If their property had not been in the form of stock, this would have been done.

S. 2064 simply rectifies this wrong. It fits into the framework of general U.S. international policies with respect to the block-

ing and vesting of the property of persecutees or of nonenemy nationals. These policies support the principle that the private property of Allied nationals or the victims of enemy persecution shall not be indiscriminately seized for reparations or similar purposes. The United States has upheld this principle as regards Americans or other non-enemy property interests abroad and at home. The effect of S. 2064 will be to bring the practice with respect to the rights of persecutees in vested property in this country into line with the position which the United States has traditionally taken.

As is pointed out above, under existing law there are differences in treatment as between persons having certain interests in assets which were vested under the Trading With the Enemy Act and persons having similar interests in assets which were vested under title II of the International Claims Settlement Act. The committee does not believe there is any legal or equitable justification for the application of a double standard in cases of this nature. It recommends, therefore, that S. 2064 be passed by the Senate.

PERMITTING EARLY PAYDAY FOR ARMED FORCES PERSONNEL

The bill (H.R. 3039) to amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 685), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would permit military paydays as much as 3 days before the last day of a pay period when the last day of the pay period falls on a Saturday, a Sunday, or a legal holiday.

EXPLANATION

Section 529 of title 31, United States Code, prohibits payment in advance of service performed. The Comptroller General has ruled that this section prohibits military paydays on the day before the last day of the month even though no service is required of the member on the last day of the month.

This bill would permit payment of members of the Armed Forces as much as 3 days in advance of the last day of a pay period when the pay period ends on a Saturday, a Sunday, or a holiday. The passage of time has rendered the "last day of the month" rule for military paydays impractical when the day falls on a nonworkday.

Authority to designate an early payday will contribute to increased morale, permit the exercise of more flexibility in scheduling command activities, and could create a savings through the elimination of overtime required to operate service-type facilities on a Sunday or on a holiday when payday must be held on these days because of the "last day of the month" rule.

If a member of the Armed Forces dies before the last day of the pay period, after he has received an advance payment under this bill, the amount he did not earn will not be recoverable by the United States. The maximum amount of any such unearned pay would be that for 3 days, however, and the number of such cases would be so few and

the amount of the potential loss so small that the benefits of an early payday outweigh this possible disadvantage.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request by Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AUDIT REPORT OF AMERICAN SYMPHONY ORCHESTRA LEAGUE, INC.

The PRESIDENT pro tempore laid before the Senate a letter from George H. Jones, Jr., certified public accountant, Vienna, Va., transmitting, pursuant to law, an audit report on the American Symphony Orchestra League, Inc., for the fiscal year ended May 31, 1965, which, with an accompanying report, was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters (Rept. No. 688);

H.R. 727. An act to provide for the administration of the Coast Guard Band (Rept. No. 689); and

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve (Rept. No. 690).

AUTHORITY FOR COMMITTEE ON AGRICULTURE AND FORESTRY TO FILE REPORT—MINORITY, INDIVIDUAL, AND SUPPLEMENTAL VIEWS

Mr. HILL. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be permitted until midnight tonight to file its report on H.R. 9811, together with minority, individual, and supplemental views if desired.

The PRESIDING OFFICER (Mr. Bass in the chair). Without objection, it is so ordered.

Subsequently, Mr. ELLENDER, from the Committee on Agriculture and Forestry, reported the bill (H.R. 9811) to maintain farm income, to stabilize prices, and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes, with an amendment, and submitted a report (No. 687) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BAYH:

S. 2496. A bill to require mailing list brokers to register with the Postmaster General,

and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. BAYH when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 2497. A bill for the relief of Dr. Guillermo Anido y Franguio; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. DOUGLAS, and Mr. PROXMIER):

S. 2498. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIER:

S. 2499. A bill to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. PROXMIER when he introduced the above bill, which appear under a separate heading.)

RESOLUTION — AUTHORIZATION FOR FOREIGN RELATIONS COMMITTEE TO INVESTIGATE THE LEGALITY OF SHIPPING RESTRICTIONS ON WHEAT

Mr. SYMINGTON (on behalf of Mr. McGOVERN and himself) submitted a resolution (S. Res. 144) authorizing the Foreign Relations Committee to investigate the legality of shipping restrictions on wheat, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. SYMINGTON, which appears under a separate heading.)

REGISTRATION OF MAILING LIST BROKERS

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to require registration with the Post Office Department of mailing list brokers and others who sell or exchange lists of addresses. In a modest way this measure is designed to bring some reduction in the vast quantity of obscene and pornographic materials sent through the mail.

In recent years there has been an increasing amount of unrequested and unwanted advertisements for and inducements to buy smutty publications sent to American homes. Investigation has shown that mailing lists of legitimate enterprises frequently come into the hands of peddlers of filth, often unknown to the original owner of the list. At present there is no organized way of checking on those who buy and sell or who compile mailing lists for their own profitmaking purposes.

This bill, which is identical to one introduced in the House by Representative CLEMENT J. ZABLOCKI, of Wisconsin, would require registration of mailing list brokers whose primary business is the

buying and selling of these names and addresses. Records of transactions would have to be kept for at least 5 years by all persons who buy, sell or use mailing lists in a profitmaking activity. For those who violate the terms of the bill, a maximum fine of \$5,000 and/or a jail sentence up to 1 year in length is provided.

Let me stress that this measure would not censor self-expression or directly curtail production or distribution of any material. Any attempt by Congress to ban the interstate shipment or the mailing of any publication would immediately be confronted with constitutional and practical administrative problems which would guarantee its failure. Americans are too steeped in the concept of freedom of speech and press to countenance outright governmental censorship.

The purpose of the bill is not to prohibit publication or shipment but to focus official attention on those who sell or exchange mailing lists which might come into the possession of those who traffic in obscene literature. Such brokers would have to provide the Postmaster General with the names under which they do business, the scope and character of their business, the relationship of mailing list operations to other businesses, the locations of their principal offices, and the names and addresses of their directors and chief executive officers. Those who use, buy, sell, lease, rent, exchange or otherwise make available mailing lists for profitable purposes would likewise have to provide similar information about their operations. Bringing the spotlight of publicity on the organizations which are buying and using mailing lists, and requiring that complete records of all transactions be kept for 5 years, would greatly diminish the opportunity for those who deal in smut to acquire the mailing lists of legitimate operators.

It is my understanding that the bill has received the tentative approval of the Post Office Department. There is evidence also that the direct mail industry would favor a measure of this type. I do not believe that it would place any burdensome restriction on any person engaged in any legitimate direct mail business, nor would it impose heavy administrative tasks on the Post Office Department. If the bill were enacted it would not eliminate all distribution of pornography and obscenity through the mails, but it would be extremely helpful in controlling one large source of trouble—the present unregulated and widespread traffic in mailing lists. For this reason I urge that favorable consideration be given this measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2496) to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

APOSTLE ISLANDS NATIONAL LAKESHORE

Mr. NELSON. Mr. President, I am pleased to introduce today a carefully developed bill to create an Apostle Islands National Lakeshore in northern Wisconsin. This project has been a dream of those of us who love this area for many years. Now for the first time, we have gathered together all of the facts and figures needed to present a specific proposal to the U.S. Congress which will be of tremendous benefit to this region and to the entire Nation.

The late President Kennedy visited the Apostle Islands in September 1963. He was thrilled at the natural beauty of the islands, the Lake Superior shoreline and its sandy beaches and the magnificent wild rice marsh which is one of the most significant wildlife areas on the upper Great Lakes. President Kennedy said on that occasion that "We must act to preserve these assets" for the benefit of the people and as a recreational attraction for millions of Americans who live nearby.

Secretary of the Interior Udall, sharing the President's interest, at my request assigned a special subcommittee of his Department to make a detailed study of the feasibility of an Apostle Islands National Lakeshore and to draft a specific plan.

This task force has come up with a proposal which has attracted widespread acclaim and which I now introduce in the form of legislation.

The 57,500-acre project includes 30 miles of Bayfield County shoreline, 21 islands, and a 10,000-acre marsh. The Bayfield County shoreline and its beautiful bays would be developed with a scenic highway, visitors' center, tourist lodges and marinas to provide outstanding recreational facilities which would receive intensive use. The 21 islands offshore would be preserved as virtual wilderness with temporary floating docks, primitive campsites and hiking trails. The magnificent wild rice marsh would be preserved just as it is for nature lovers, hunters and fishermen. Regulations would be developed to protect it against some undesirable uses which have been developing in recent years, such as high-speed motor boating and the construction of shacks by outsiders on land they do not own.

I have been interested in this proposal for many years. Like any major recreational project, it involves certain complicated problems, such as the purchase of privately owned property, removal of property from tax rolls, exchange of Indian lands, etc. I am delighted to report that after more than a year of intensive field work, the Interior Department task force has satisfactorily resolved every single one of these problems.

The Apostle Islands National Lakeshore does not create a tax problem; it provides a solution to a tax problem which the area has lived with for a lifetime. The Bad River and Red Cliff Indian Bands will not be hurt; they will be helped. The acquisition of privately owned property developments has been

held to an absolute minimum and property owners will have excellent options available to guarantee that their interests will be fully protected.

An excellent economic analysis of the proposal has been made by Prof. I. V. Fine, a University of Wisconsin economist, who has become an authority on the tourist industry as a result of his extensive studies commencing with an assignment from former Governor Thomson, of Wisconsin, in 1958. Professor Fine estimates the value of the land involved at \$2,900,000 but says that acquisition costs will probably be considerably less. The State of Wisconsin and Ashland County could continue to administer island properties which they own and the Indian bands could lease tribal land to the Government. Professor Fine estimates on the basis of studies of similar projects that this recreation area should attract 920,000 visits per year once it is fully established. He estimates that it would generate \$7,250,000 a year in new consumer spending within the area. The project would require an estimated 21 full-time and 50 part-time employees with an annual payroll of \$350,000, not including privately operated concessions which would be operated under lease agreements. It is estimated that 90 percent of the visitors would stay overnight outside the boundaries of the recreation area, thus stimulating private commercial development. New jobs in the area generated by the project are estimated at 363.

The Interior Department task force concluded that this area was truly of national significance and deserving of long-range preservation and development for public enjoyment.

The benefits to the region and the Nation from such a project are obvious. Time is running out on our priceless natural resources. Pollution, industrialization, and population growth are progressively destroying our woods, our waters, and our wildlife. Our population is expected to double by the year 2000. The population increase combined with an increase of income and mobility and leisure time is causing a geometric increase in the demand for park and recreational space. Yet we are making no comparable increase in the amount of space available.

It is estimated that the demand for outdoor recreation by the year 2000 will be 10 times what it was in 1950—the year our State conservation department first formally considered the establishment of an Apostle Islands park or recreation area.

Therefore, we need an Apostle Islands National Lakeshore to help provide quality recreation and wholesome scenic beauty for an estimated 50 million Americans who live within 1 day's driving distance. This project fits in well with a number of other badly needed recreational projects in the Midwest and is desperately needed as an addition to our present bank of outdoor recreational resources.

Second, an Apostle Islands National Lakeshore is the key to the economic development of our northland, which has a great potential as an outstanding center

for outdoor recreation. This area, which includes northern Minnesota, northern Wisconsin and northern Michigan, has suffered for half a century because of the progressive depletion of its natural assets and the unwise exploitation of its resources. Today all of its principal industries—iron ore mining, lumbering, fishing, and farming—are depressed. The economic rehabilitation of the north, set back for generations by the ruthless squandering of its timber, mineral, and soil resources, must center around recreational development. Our northland needs an outstanding recreational resource, known to all the Nation, to attract tourists and serve as a complement to the excellent but limited recreational development already existing there.

Third, an Apostle Islands National Lakeshore, developed with Federal funds and administered by the National Park Service, will be of great value to the Bad River and Red Cliff Indian bands whose people will find jobs within the project and many opportunities for commercial development outside its boundaries.

By careful drawing of the project's boundaries, the tax loss is estimated at only about \$6,000 per year which would be swiftly offset by the public and commercial development which would come from creation of the national lakeshore.

Although this proposal was first announced only on Sunday, August 29, it has already attracted widespread support.

The Wisconsin State Journal at Madison said in an editorial of September 1, 1965, that the Apostle Islands National Lakeshore "deserves and needs the support of every State citizen."

The Ashland Daily Press, in a column by Norrie Swanson, of August 30, commented that this project "will certainly be a boost to the economy of the Ashland-Bayfield County region." The Ashland paper cited the nationwide press interest shown in the project and expressed the hope that the project "will meet favorable response in Congress."

The jointly owned Portage Daily Register and the Chippewa Falls Telegram described the project as "a great opportunity" in an editorial on August 30. These newspapers stated:

The Apostle Islands are a unique natural phenomena. Their beauty is certainly unmatched anywhere * * * we have no alternative but to wholeheartedly support Senator Nelson and his proposal for this most worthwhile project.

The Eau Claire Daily Telegram in an editorial on August 30 also praised the proposal and said that the estimate of economic benefits was probably overly conservative. The editorial urged citizens to provide "the broad support needed to preserve this majestic area for posterity."

Virtually every newspaper in the region, including newspapers in Chicago, Minneapolis, St. Paul, and Duluth, devoted considerable space to describing the project and its economic benefits. Letters from individual citizens express similar support.

Mr. President, I ask unanimous consent to insert in the Record at this point

the bill and copies of editorials from Wisconsin newspapers endorsing this splendid project.

THE PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and editorials will be printed in the RECORD.

The bill (S. 2498) to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes, introduced by Mr. NELSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2498

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(a) (1) for the purpose of conserving and developing for the benefit, inspiration, and use of the public certain islands, shorelines, beaches, sandspits, and other natural and historical features within Ashland and Bayfield Counties, Wisconsin, which make up a significant portion of the diminishing shoreline and archipelago environments of the Great Lakes region and which possess high values to the Nation as examples of unspoiled areas of great natural beauty; and

(2) for the purpose of encouraging and enhancing the development and utilization of this region as an important center of public recreation activities, and particularly to encourage participation in the accomplishment of such purposes by the Bad River Band and the Red Cliff Band of the Lake Superior Chippewa Indians of Wisconsin (hereinafter referred to as the "Bad River Band" and the "Red Cliff Band"), there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore").

(b) The lakeshore shall comprise those islands, waters, and portions of mainland within Ashland and Bayfield Counties, Wisconsin, as generally depicted on a map identified as "Boundary Map—Proposed Apostle Islands National Lakeshore, NL-A1-7100, sheets 1, 2, and 3," dated May 1965. Said map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the lakeshore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, or any interest therein, by donation, purchase with donated or appropriated funds, or exchange. Any property or interests therein owned by the State of Wisconsin, or any political subdivision thereof, may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

(b) In exercising his authority to acquire property within the boundaries of the lakeshore by exchange, the Secretary may accept title to any non-Federal property therein, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal and which is of approximately equal value. If the properties are not of approximately equal value, the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

SEC. 3. (a) With the exception of not more than 80 acres of land in the Red Cliff Creek

area that the Secretary determines are necessary for an administrative site, visitor center, and related facilities, any owner or owners, including beneficial owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(b) A right of use and occupancy retained pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1965 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 4. The authorities granted by this Act shall be subject to the following exceptions and qualifications:

(a) Lands or interests therein within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band may be acquired by the Secretary only with the concurrence of the beneficial owner;

(b) Any leasehold interest acquired in lands beneficially owned by the Bad River Band or the Red Cliff Band shall not exceed a term of ninety-nine years, but shall grant the Secretary the option of renewing the lease for as long as the lands are used as part of the lakeshore;

(c) In order to facilitate the acquisition by exchange of the lands within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band or held in trust or in a restricted status for individual Indians of said bands, the Secretary may acquire by negotiated purchase any lands, or interests therein, outside of the lakeshore boundaries. Lands so acquired may be exchanged for such Indian lands on an approximately equal-value basis, but if the properties are not of approximately equal value the Secretary may accept cash from, or pay cash to, the grantor in order to equalize values;

(d) In order to provide substitute lands for the Bad River Band and the Red Cliff Band or for individual Indians of said bands in cases where their lands are acquired for the lakeshore, the Secretary may, from funds made available to him by such band of Indians, acquire by negotiated purchase any lands or interests therein outside of the boundaries of the lakeshore: *Provided*, That title to such lands shall be held by the United States in trust for the band or the individual Indians involved;

(e) With respect to any lands acquired by the Secretary under this Act that are within

the boundaries of the lakeshore and within the boundaries of the Bad River or Red Cliff Indian Reservations, the Secretary may sell such lands to the respective Indian band at fair market value if he finds the sale will consolidate the Indian holdings and will facilitate the administration of the lakeshore: *Provided*, That as a condition of the sale the Secretary may acquire from the vendee a leasehold interest in order to use the land as part of the lakeshore; and

(f) In exercising his authority to acquire by negotiated purchase any land within the boundaries of the lakeshore that is held in trust or in a restricted status for individual Indians, the Secretary may, in cases where a particular tract of land is so held for more than one Indian, acquire such land without the consent of all of the beneficial owners if the acquisition is agreed to by the owners of not less than a 50 per centum interest in any land where ten or fewer persons own undivided interests or by the owners of not less than a 25 per centum interest in any land where eleven or more persons own undivided interests. The Secretary may represent for the purpose of this subsection any Indian owner who is a minor or who is non compos mentis, and, after giving such notice of the proposed acquisition as he deems sufficient to inform interested parties, the Secretary may represent any Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title to the land.

SEC. 5. Within the portions of the Bad River and Red Cliff Indian Reservations that are included in the lakeshore, recognized members of the Bad River and Red Cliff Bands shall be—

(a) permitted to traverse such areas in order to hunt, fish, boat, or gather wild rice or to obtain access to their homes or businesses: *Provided*, That in order to preserve and interpret the historic, scenic, cultural and other outdoor features and attractions within the lakeshore the Secretary may prescribe regulations under which the area can be traversed;

(b) granted the first right of refusal to purchase any timber if the Secretary determines that the harvesting or removal of timber is necessary or desirable;

(c) granted, to the extent practicable, a preferential privilege of providing such visitor accommodations and services, including guide services, as the Secretary deems desirable: *Provided*, That such a preferential privilege will not be granted unless the visitor accommodations and services meet such standards as the Secretary may prescribe;

(d) granted employment preference for construction or maintenance work or for other work in connection with the lakeshore for which they are qualified; and

(e) encouraged to produce and sell handicraft objects under the supervision of the Secretary.

SEC. 6. The Secretary shall, to the extent that appropriated funds and personnel are available, provide consultative or advisory assistance to the Bad River and Red Cliff Bands with respect to planning facilities or developments upon their tribal lands which are outside of the boundaries of the lakeshore.

SEC. 7. Subject to such regulations as the Secretary may prescribe, the recognized members of the Bad River and Red Cliff Bands may use without charge any docking facilities within the lakeshore that are operated by the Secretary.

SEC. 8. (a) The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin to the extent applicable, except that he may designate zones where, and establish periods

when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities.

(b) Except for such regulations as the Secretary may issue under authority of this Act, nothing in this Act shall affect the existing rights of members of the Bad River Band or Red Cliff Band to hunt, fish, trap, or to gather wild rice.

SEC. 9. The lakeshore shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 10. (a) In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for:

(1) Protection of scenic, scientific, historic, geological and archeological features contributing to public education, inspiration, and enjoyment;

(2) Development of facilities to provide the benefits of public recreation and a scenic shoreline drive on the Bayfield Peninsula;

(3) Preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, scientific and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, services as he may deem desirable; and

(4) Preservation and enhancement of the unique characteristics of the Kakagon River and Bad River Sloughs.

(b) With respect to the portion of the lakeshore located within the boundaries of the Bad River Indian Reservation such land and water use management plan shall provide for—

(1) public enjoyment and understanding of the unique, natural, historic and scientific features through the establishment of such roads, trails, observation points, exhibits, and services as the Secretary may deem desirable; and

(2) public use and enjoyment areas that the Secretary considers especially adaptable for viewing wildlife: *Provided*, That no development or plan for the convenience of visitors shall be undertaken in such portion of the lakeshore if it would be incompatible with the preservation of the unique flora and fauna or the present physiographic conditions.

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The editorials presented by Senator NELSON are as follows:

[From the Ashland (Wis.) Daily Press, Aug. 30, 1965]

HIT AND MISS ABOUT TOWN

(By Norrie Swanson)

The publicity given the proposed national park area for the Apostle Islands was tremendous all over the United States. The Milwaukee Journal, one of the Nation's best publications, gave it as much space as it would have the same proposal been for the Milwaukee area.

If this thing goes through, and it looks like there is nothing to stop it, it'll be a feather in the hat for U.S. Senator GAYLORD NELSON, who was Wisconsin's Governor when he first fostered this program that will certainly be a boost to the economy of the Ashland-Bayfield County region. There were some objectors Saturday when the proposal was explained, but those seemed to be more from a selfish standpoint and from those who were not fully aware of the plan.

Fishing and hunting rights will not be denied to any degree that it would hurt anyone, so I for one sincerely hope the plan will meet favorable response in Congress, where Senator NELSON now has to bring the measure. The complete survey has been completed and there is no denying from the facts and figures presented by the experts of the benefits that will be derived for the north.

Senator NELSON plans to present the measure to Congress within a week or so. No doubt it will take until 1966 when action will be taken. It requires an act of Congress to establish the proposed park. Let's keep plugging it and I'm sure we'll reap some sort of benefit by having a national park in our backyard.

[From the Portage Daily Register, Aug. 30, 1965]

GREAT OPPORTUNITY

There is a unique opportunity in Wisconsin and the large part of credit for it goes to Senator GAYLORD NELSON.

Ever since he was Governor, NELSON has promoted the idea of an Apostle Island National Park. Now it is official. Senator NELSON has proposed a 57,500 acre project that would include 30 miles of Bayfield County shoreline with 20 wild offshore islands and 10,000 acres of wild rice marsh interlaced by two rivers.

What possible relevance would this project have for Portage? Such a question is justified and though the answer seems clouded by the hundreds of miles between the Apostle Islands and our city and county, there is a very valid rationale for the Nelson project.

The national park, as outlined by Senator NELSON, would cost \$11 million. It would require buying a very small percentage of privately owned lands. It would take from the county tax rolls in the north some \$6,000 in taxable property. This is a small amount however, when we compare it to the projected \$7,250,000 that economic studies estimate the national park would generate in spending within the area in 1 year.

The park would require an estimated 21 full-time employees and 50 part-time employees with an annual payroll of \$350,000, not including the privately operated concessions in the park nor the many private lodgings outside the park area that would serve to house those people coming to the Apostle Islands.

Further, when it is fully developed, according to NELSON and studies made by the Department of Interior, the park would attract 920,000 visits per year. These people would have to pass through Wisconsin, and, more important, some of them would pass through Portage and Columbia County. We would then in a very materialistic and empirical sense derive direct benefit from the money that these many additional tourists would spend.

As important as the economic factors, however, there is the overriding consideration of conservation. The Apostle Islands are a unique natural phenomena. Their beauty is certainly unmatched anywhere, and, as the Department of Interior said in a field study report, "There is no comparable area on the Great Lakes."

The proposed park would tie together the conservation and recreational purposes of the Apostle Islands and the shore line opposite them. It would preserve, as Senator

NELSON indicated, a "rare and priceless resource."

Neither the State of Wisconsin nor the counties involved can supply adequate funds, personnel, or knowledge to preserve and maintain the Apostle Islands area as could be provided through the efforts of the Federal Government. When we have the opportunity for a Yellowstone or a Glacier type national park, when we have the area that warrants such attention, then we have no alternative but to wholeheartedly support Senator NELSON and his proposal for this most worthwhile project.

[From the Wisconsin State Journal, Sept. 1, 1965]

NELSON PROPOSAL MERITS SUPPORT—APOSTLE ISLAND RECREATION PLAN

Senator GAYLORD NELSON may have been just a bit immodest, but he was also accurate in calling his Apostle Island National Lakeshore proposal "the greatest recreational project ever proposed for Wisconsin."

The visionary proposal covers 30 miles of Bayfield County shoreline, 21 wild offshore islands, and a 10,000-acre wild rice marsh interlaced by two rivers.

Anyone who has visited the area—and this must mean the great majority of State residents—could not fail to be impressed and charmed by its character.

It has a wild beauty that is found nowhere else in the State. It has a rocky and fascinating history of Indian wars, early exploration, fur harvest, and occupation by a rugged people who stayed to develop a fish and lumber economy.

It is a land and a water area that the State must be proud to list as one of its top assets. State residents owe it to their grandchildren to see that it remains a top asset and is not ground to pieces under the ruthless heels of civilization. It must be preserved as a land of beauty and solitude that is so necessary if man is to refrain from jumping off the edge of the earth in screaming panic.

The Nelson proposal seems the best way to do it. It deserves and needs the support of every State citizen.

[From the Eau Claire (Wis.) Daily Telegram, Aug. 30, 1965]

APOSTLE ISLANDS AS NATIONAL PARK

Senator GAYLORD NELSON has undertaken a difficult project in seeking to have the Apostle Islands and adjacent areas made a national recreation area.

The park would include 21 of the 22 Apostle Islands under a plan worked out during the past 2 years with the assistance of the Interior Department which sent a task force to study the terrain.

The rugged, rock-ribbed south shore caught the fancy of the late President Kennedy who visited the area on one of his last trips to the State.

Many others see a great potential in recreational use of the area ranging from primitive wilderness zones on the islands to sections such as one proposed for the Bayfield Peninsula providing space for tents, trailers, marinas, swimming, fishing, hiking, and beachcombing.

University of Wisconsin economist I. V. Fine in a study of the proposed area estimates it will attract up to one million visitors a year when fully developed and generate around \$7 million a year in consumer spending.

It is our belief the estimate is on the conservative side. A friendly ranger in Grand Teton National Park, Wyo., told us that around 2½ million visitors are using that park this summer. While the Apostle Islands area would require many years to become as well known as the Tetons, their accessibility to millions of midwestern citizens is much more immediate.

The area is 168 miles from Eau Claire; 42 from Milwaukee; and a nice day's drive on the interstate from Chicago at 432 miles—when the 4-lane freeways are completed.

Of the total of approximately 57,500 acres in the project along the lakeshore, 37.2 percent is publicly owned. About 19 percent is owned by Indians and the rest is privately owned. The latter property is generally either in seasonal cottages or hunting camps. Commercial enterprises are limited in number and size. There are 14 year-round residences.

Professor Fine is careful to note that the tax revenue lost to local governments if the project goes through on the basis of 1963 data would total less than \$10,000. This figure would probably be lower because local units of government can continue to tax owners of property under the lease-purchase agreements commonly employed. Owners have use of the property for another 25 years.

He also notes that the increase in business and local employment is almost certain to offset tax losses.

It is doubtful if dollar-sign benefits were uppermost in the mind of President Teddy Roosevelt when he helped launch the national park system. This Nation can be proud of the beauty spots which were wisely set aside by earlier generations.

Senator NELSON's effort to preserve for posterity some of the majesty of the glacier-battered Laurentian Range; the wave-lashed Apostle Islands; and the rocky southern shore of Lake Superior will need broad support from Wisconsin residents if it is to become a reality.

[From the Chippewa Herald-Telegram,
August 30, 1965]

A UNIQUE OPPORTUNITY

There is a unique opportunity in Wisconsin and the large part of credit for it goes to Senator GAYLORD NELSON.

Ever since he was Governor, Senator NELSON has promoted the idea of an Apostle Island National Park. Now it is official as Senator NELSON has proposed a 57,500-acre project that would include 30 miles of Bayfield County shoreline with 20 wild offshore islands and 10,000 acres of wild rice marsh interlaced by two rivers.

What possible relevance would this project have for Chippewa Falls? Such a question is justified and though the answer seems clouded by the hundreds of miles between the Apostle Islands and our city and county, there is a very valid rationale for the Nelson project.

The national park, as outlined by Senator NELSON, would cost \$11 million. It would require buying a very small percentage of privately owned lands. It would take from the county tax rolls in the north some \$6,000 in taxable property. This is an infinitely small amount, however, when we compare it to the projected \$7,250,000 that economic studies estimate the national park would generate in spending within the area in 1 year.

The park would require an estimated 21 full-time employees and 50 part-time employees with an annual payroll of \$350,000 not including the privately operated concessions in the park for the many private lodgings outside the park area that would serve to house those people coming to the Apostle Islands.

Further, when it is fully developed, according to Senator NELSON and studies made by the Department of Interior, the park would attract 920,000 visits per year. These people would have to pass through Wisconsin, and, more important some of them would pass through Chippewa Falls and Chippewa County. We would then in a very materialistic and empirical sense derive direct benefit from the money that these many additional tourists would spend.

As important as the economic factors however there is the overriding consideration of conservation. The Herald-Telegram is most familiar with the Apostle Islands. They are a unique natural phenomena. Their beauty is certainly unmatched anywhere and as the Department of Interior said, in a field study report, "there is no comparable area on the Great Lakes."

The proposed park would tie together the conservation and recreational purposes of the Apostle Islands and the shoreline opposite them. It would preserve, as Senator NELSON indicated, a "rare and priceless resource."

Neither the State of Wisconsin nor the counties involved can supply adequate funds, personnel or knowledge to preserve and maintain the Apostle Islands area as could be provided through the efforts of the Federal Government. When we have the opportunity for a Yellowstone or a Glacier type national park, when we have the area that warrants such attention then we have no alternative but to wholeheartedly support Senator NELSON and his proposal for this most worthwhile project.

SBA SALE OF LOANS

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill, and ask unanimous consent that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2499) to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(b) of the Small Business Act is amended by deleting the word "and" before paragraph (9) thereof, and by adding the following new paragraphs:

"(10) notwithstanding any other provision of law, issue, offer, sell, guarantee, and purchase participation certificates evidencing a beneficial interest in principal and interest collections to be received by the Administration on obligations comprising loan pools established by it. Collection receipts allocable to the participations shall be set aside as a separate part of the revolving fund established by section 4(c) of this Act, and payments required on account of such certificates are authorized to be made from the revolving fund. Substitution or withdrawal of obligations in such pools may be made, but the amount, interest rates, and maturities of such obligations shall at all times be sufficient to assure all payments under the participations. Proceeds from sale of the participations shall be deposited in the revolving fund. Participations issued and guaranteed by the Administration shall be lawful investments, and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority and control of the United States or any officer or officers thereof. Such participations shall also apply to the same extent as securities issued or guaranteed by the United States or its instrumentalities be deemed to be exempt securities within the

meaning of the laws administered by the Securities and Exchange Commission and of section 5136 of the Revised Statutes;

"(11) notwithstanding any other provision of law, set aside a part or all of obligations held by him and subject them to a trust and, incident thereto, guarantee payment thereof. The trust instrument may provide for the issuance and sale of beneficial interests or participations, by the Trustee, in such obligations or in the right to receive interest and principal collections therefrom; and may provide for the substitution or withdrawal of such obligations, or for the substitution of cash for obligations, but the amount, interest rates, and maturities of such obligations shall at all times be sufficient to assure all payments under the participations. The trust instrument may also contain other appropriate provisions in keeping with the purposes of this paragraph. Notwithstanding any other provision of law, the Federal National Mortgage Association may be named and may act as trustee of any such trusts and, for the purposes thereof, the title to such obligations shall be deemed to have passed in trust: *Provided*, That the trust instrument shall provide that custody, control, and administration of the obligations shall remain in the Administrator subject to defeasance in the event of default or probable default, as determined by the Trustee, in the payment of the beneficial interests or participations. Notwithstanding the provisions of section 4(c) hereof relating to the payment of collections into the revolving fund established by such section, collections from obligations subject to the trust shall be dealt with as provided by the instrument creating the trust. The trust instrument shall provide that the Trustee will promptly pay to the Administrator the entire proceeds of any sale of beneficial interests or participations to the extent they are based upon such obligations or collections. The Administrator shall deposit such proceeds in the revolving fund. The Administrator is authorized to purchase outstanding beneficial interests or participations to the extent of the outstanding amount of his commitment to the Trustee. In the event that collections from obligations subject to the trust are insufficient to enable the Administrator to meet any of his responsibilities with respect to such beneficial interests or participations the Administrator may utilize any amounts available in the revolving fund to meet such responsibilities. There are hereby authorized to be appropriated to the revolving fund any amounts not otherwise available therein as may be required to enable the Administrator to meet any of his responsibilities with respect to beneficial interests or participation based on obligations set aside by the Administrator pursuant to this subsection."

SEC. 2. The first and last sentences of section 302(c) of the Federal National Mortgage Association Charter Act are amended by inserting "and other obligations" following "mortgages".

Mr. PROXMIRE. Mr. President, the bill would amend the Small Business Act and the Federal National Mortgage Association Charter Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration. Proceeds from sale of the participations would be deposited in SBA's revolving fund for use in financing the agency's programs of small business loans, disaster loans, loans under the Economic Opportunity Act of 1964, development company loans, and loans to and debenture purchases from small business investment companies.

Though section 5(b) of the act confers broad authority on the Administrator of SBA to sell and deal with loans made by the Agency, there is some doubt as to the extent to which this authority would support the issuance of participation securities based on such loans. The bill would specifically authorize issuance and sale, either directly by SBA or through the Federal National Mortgage Association—FNMA—on behalf of SBA, of participation certificates representing beneficial interests based on principal and interest collections to be received on account of certain loans held by SBA. It is believed that such participation certificates would be more readily salable to banks and other investors than individual SBA loans in many cases.

The bill contains two basic provisions, one authorizing participations issued by SBA and the second authorizing SBA and FNMA to enter into a trust agreement providing for the issuance of FNMA participations based on obligations held by SBA. Alternate availability of the two procedures would be advantageous in enabling choice of whichever method appears most appropriate at particular times in view of SBA's current loan portfolio, the condition of the financial market, and other administrative considerations. It is expected, however, that at least initially the FNMA route will be utilized, in view of FNMA's experience and acceptance in the securities market.

PARTICIPATIONS ISSUED BY SBA

The bill would authorize SBA to set aside as a separate part of its revolving fund, collections of principal and interest on certain pools of its loans which the agency would establish. SBA would then issue, offer, sell, and fully guarantee participation certificates evidencing a beneficial interest in such collection receipts. The agency would also be authorized to purchase such participation certificates, and if necessary to utilize any part of its revolving fund for payments required on account of the certificates. Proceeds from sale of the participations would be deposited in SBA's revolving fund.

Such participations would be lawful investments and could be accepted as security for all trust, fiduciary, and public funds, the investment or deposit of which is under the authority and control of the United States or any officer thereof; would be exempt securities within the meaning of laws administered by the Securities and Exchange Commission to the same extent as securities issued or guaranteed by the United States or its instrumentalities; and also would be exempted from certain restrictions placed on bank securities activities by the Federal banking law. These exemptions and investment attributes for SBA participations would be similar to those which have already been provided by statute for the FNMA participations discussed below.

PARTICIPATIONS ISSUED BY THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

The bill would also clarify SBA and FNMA authority to enter into a trust agreement, under which the Federal National Mortgage Association as fiduciary would sell and guarantee its participa-

tion certificates based on principal and interest collections to be received on loan obligations held by SBA. Title VII of the Housing Act of 1964 authorized FNMA to enter into such agreements with respect to certain first mortgage obligations, and the bill would extend this authority to other types of obligations held by U.S. Government agencies.

Under this arrangement, SBA would set aside certain of its loans, guarantee them, and subject them to a trust. FNMA, as trustee, would issue its participations based on such obligations and on the right to receive principal and interest collections therefrom. FNMA would pay to SBA the proceeds from sale of such participations for deposit in SBA's revolving fund. The revolving fund could be utilized for payments on account of the certificates, and SBA would be authorized to pay FNMA appropriate expenses incurred pursuant to the agreement and to purchase when necessary outstanding FNMA participations issued on SBA's behalf. Such FNMA participations would have investment attributes and exemptions similar to those described above for SBA participations.

As indicated below, collections from loans set aside for pooling would supply ample funds to meet payments on the FNMA or SBA participations issued. However, the bill also provides a special authorization for appropriations to the extent any additional amounts required were not available in the revolving fund.

DESCRIPTION OF POOLING AND PARTICIPATIONS

The loan pool established by SBA under these authorities would be required, of course, to contain loans whose principal and interest collections would be ample to meet payments due on participations issued for the Agency. It is anticipated that the outstanding principal amount of loans in the pool would substantially exceed the amount of participations issued. While all types of obligations held by SBA may be included, it is probable that a majority of the loans in the pool would be business loans and development company loans. Substitution of loans would be made if determined to be necessary or desirable.

Current plans call for sale of approximately \$350 million of participations during fiscal 1966 if the legislation is enacted. At present, no determination has been made concerning the terms and features of participations to be offered. This, of course, would depend on such factors as conditions in the financial market, and the most suitable arrangement from the Government's viewpoint.

AUTHORIZATION FOR FOREIGN RELATIONS COMMITTEE TO INVESTIGATE THE LEGALITY OF SHIPPING RESTRICTIONS ON WHEAT

Mr. SYMINGTON. Mr. President, in the absence of the distinguished junior Senator from South Dakota, and in that I fully agree with the purport of his proposal, I submit on behalf of Senator McGovern and myself the following resolution and ask for favorable Senate action thereon.

I ask unanimous consent that the full text of the resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 144) was referred to the Committee on Foreign Relations, as follows:

S. RES. 144

Whereas the Executive Branch of the Government of the United States requires that export licenses for shipment of wheat sold in regular commercial channels to Russia and satellite countries shall be conditioned on shipment of 50 per centum of such cargo in domestic carriers; and

Whereas the Senate is advised that the State Department has informed the Maritime Advisory Committee that such restrictions or preference provisions are in violation of our Government's commercial treaties with at least 30 nations, and

Whereas the State Department advised the Maritime Advisory Committee that extension of U.S. flag preference into the commercial trade area would arouse violent reaction among friendly nations and constitute a reversal of foreign policy of at least a century duration in relation to shipping discriminations; and

Whereas the imposition of such restrictions on licenses for commercial wheat export appears to constitute a clear violation of Sec. 3(c) of the Export Control Act of 1949, as extended and amended by Public Law 89-63 enacted by the present Congress: Now, therefore, be it

Resolved, That the United States Senate authorize and direct its Foreign Relations Committee to investigate as early as possible whether such shipping restrictions in relation to wheat constitute violation of treaties and law, and to report its findings to the Senate on or before October 15, 1965.

POPULATION BILL PUBLIC HEARINGS CONTINUED WEDNESDAY, SEPTEMBER 8, ROOM 3302, NEW SENATE OFFICE BUILDING—WITNESSES INCLUDE REPRESENTATIVES FROM DADE COUNTY PUBLIC SCHOOLS, MIAMI, FLA.

Mr. GRUENING. Mr. President, public hearings will continue tomorrow, Wednesday, September 8, at 10 a.m. on S. 1676, my bill to coordinate and disseminate birth control information upon request. The hearings will be held in room 3302, New Senate Office Building.

The Government Operations Subcommittee on Foreign Aid Expenditures will hear witnesses who are concerned about school problems in the Dade County Public Schools in Miami, Fla. Hurricane Betsy permitting, the subcommittee hopes to learn a great deal from the testimony of Superintendent Joe Hall, Chief of Planning and Policy Frank Sloan, and Chairman Jane S. Roberts of the Dade County Board of Public Instruction.

To round out the hearing the Subcommittee on Foreign Aid Expenditures has asked Mr. Clifford Nelson, president of the American Assembly of Columbia University, New York City, to describe in detail how the American Assemblies on Population have contributed to the population dialog throughout the Nation. Mr. Nelson will also discuss briefly the work of the American assembly in other lands.

MAYOR RICHARD C. LEE AND THE CITY OF NEW HAVEN

Mr. RIBICOFF. Mr. President, today's New York Times carries an outstanding story on the city of New Haven, Conn., which contains a lesson for every city in our Nation.

Under the brilliant and inspiring leadership of Mayor Richard C. Lee, New Haven has proved and is continuing to prove what America's deteriorating cities can truly become. I want to share my pride with my colleagues.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW HAVEN PURSUING THE AMERICAN DREAM OF A SLUMLESS CITY—THIRD OF AREA BEING REBUILT AT A COST OF HALF A BILLION
(By Samuel Kaplan)

NEW HAVEN.—The American dream of a slumless city may be fulfilled here.

About a third of this city—6 square miles—is being renewed at a cost that will exceed \$500 million in public and private investments.

The result of \$300 million spent in the last 10 years has changed the face of New Haven from one of downtown decay and festering slums to commercial complexes, modern housing developments and stately rehabilitated homes.

Court Street, a skid row 10 years ago, is now a prestige address. New, imaginative housing developments have attracted middle-class families back from the suburbs.

The commercial slums on Church Street have been replaced by gleaming stores. Land values downtown have doubled. And the hum and clatter of construction is everywhere.

Though the large slums of crumbling tenants, clapboard shacks and firetrap factories are gone, there are still a few small pockets of decay—shabby, overcrowded frame buildings second-and-third-generation welfare cases and low-income Negro families, recent migrants to this city of 152,000.

OFFICIALS CONFIDENT

But in city hall on Church Street, and in Washington, officials are confident that New Haven has perfected the tools of urban renewal, combined them with an imaginative antipoverty program and is well on the way to victory.

"I think New Haven is coming closest to our dream of a slumless city," Robert C. Weaver, Federal Housing and Home Finance Administrator, said recently in an interview. Most housing experts across the country agree.

"It is like a dream. Everything is done with as much style," said a member of a New York City community planning board after a recent tour. "If only New York had half of New Haven's imagination and a quarter of its spirit."

Civic pride is everywhere.

Taxicab drivers occasionally put their fare flag down and drive out of the way to show a curious visitor a new building. Elderly persons sit on benches in the city green and marvel aloud at a 14-story renewal project rising to the east. Boccie players outside a community center halt their game to give a detailed history of how their neighborhood was renewed. And Yale professors reflect favorably upon it all.

A GREAT RENAISSANCE

Reuben A. Holden, secretary of Yale, called the renewal program "a great renaissance for the city" and said the university was proud

to be a partner in it. A number of professors and university officials serve the city as consultants.

No one interviewed was more enthusiastic than Mayor Richard C. Lee, who has been the prime force behind the renewal program for the last 12 years.

"We are restoring an elegance and style to this city," he said in a somber, formal tone. And then he broke into a smile and added: "And it's fun, exciting to think what can be done."

He spoke about a planned cultural center, experimental low-income housing, a new, integrated cooperative, employment programs for dropouts, new schools and—most of all—a community spirit that has allowed his planners to exercise their imaginations.

NEW GRANT DUE

Despite its size, New Haven ranks only behind New York, Chicago, and Philadelphia in total Federal grants received for urban renewal. So far the Housing and Home Finance Agency has channeled and earmarked about \$75 million to the Connecticut port city.

On a population basis, New Haven ranks first in the country, with Federal urban renewal grants averaging \$458 for each resident. The figure for New York City is \$31.

New Haven will soon receive another grant, to begin the new Federal rent subsidy program for low-income families. It will involve moving 200 families into private housing.

The families apply 21.8 percent of their income to rent, with the Federal Government paying the landlord the difference between that amount and the actual rental. That means, for example, that if a family's total monthly income is \$300 and its rent is \$85 a month, it pays the landlord \$65.40 and the Government adds \$19.60.

Mayor Lee, in a move typical of the city's attitude of taking advantage of every available Federal program, went to Washington to apply to the Public Housing Authority the day the program was signed into law early this month. Approval is expected within 3 weeks.

"We don't like to waste time," he said.

POLICY IS UNUSUAL

The new program is consistent with the city's unusual policy of trying not to move low-income families into low-income projects. Only low-income housing for the elderly has been constructed in renewal areas.

Melvin J. Adams, administrator of the city's redevelopment agency, explained that when houses had to be demolished, residents were dispersed to foster integration and prevent the creation of new pockets of slums.

He said that a major problem in the Dixwell area, a community just north of the Yale campus now undergoing renewal, was the concentration of 900 low-income families in a large housing project built before Mayor Lee took office.

To offset the project, a 129-apartment cooperative was built in the neighborhood. An additional 81 units of middle-income housing is planned for the area, as is extensive rehabilitation of privately owned homes.

Edward Cope, head of the agency's Dixwell office, reported that 253 buildings containing 758 apartments were being rehabilitated. The office assists owners by giving architectural advice, locating reliable contractors and helping them to obtain mortgages, once a problem in this predominantly Negro neighborhood.

REHABILITATION THE KEY

According to Mr. Lee, the key to the city's housing renewal program has been the rehabilitation of structurally sound, but deteriorated buildings. More than 7,500 buildings have been rehabilitated in the last 10 years.

The Wooster Square area, just south of the business district, is cited by the city as the best illustration of its renewal program and its goals.

Ten years ago the area around the square, an old Italian neighborhood, was fast slipping into decay. But though its crumbling brownstones, tenements, and old factories were ripe for the bulldozer, only the worst buildings were demolished and close to 1,000 were saved through rehabilitation.

This would have been enough to save the physical community, but the city added a few touches that has lifted its renewal program out of the ordinary.

It sought leading architects to design new housing on the site of demolished buildings, encouraging them to use their imagination to scale the developments to the surrounding homes. It set aside land for a sitting park, and brought in Hideo Sasaki, the landscape architect, to design it. And it sought off-street parking to clear the residential streets of parked cars.

CENTER IS DESIGNED

To encourage a neighborhood identity, it selected the site of a burned-out factory where 15 persons had died and had the architectural concern of Skidmore, Owens & Merrill design a community center and school.

The center is a small city in itself. Besides the school, it includes a library, community meeting rooms, a youth center, city social service offices and a center for the elderly.

Wooster Square is now considered a desirable neighborhood. It has attracted back some of the middle class the city was losing to the suburbs and, through its moderate income developments, has brought the first Negro families into the area.

The city now hopes to repeat its Wooster Square success in Dixwell. Similar renewal plans, calling for rehabilitation, a mixture of housing and community facilities, are being developed for the Newhallville and Dwight sections.

Not to get into a rut on housing renewal formulas, however, the city has contracted with Ludwig Mies van der Rohe, the architect, to design a varied housing development on 20 acres southwest of the downtown area.

LOCAL ARCHITECTS USED

City officials note that west of the site will be a new high school designed by Eero Saarinen and Associates shortly before the architect's death.

The city also has used local architects, notably Paul Rudolph, former dean of Yale's School of Architecture. His midtown parking garage and low-income housing project for the elderly in the Dwight section are distinct, if not controversial designs.

"It certainly adds some excitement to our skyline," commented Mayor Lee.

The city's housing renewal projects almost completely surround the business district, which is undergoing vast renewal itself.

A 14-story office building, a 319-room hotel, and a public plaza soon will complete the front block complex which already includes two new department stores, Malley's and Macy's and a new First New Haven National Bank. Also to be added to the skyline will be the Knights of Columbus international headquarters, a 26-story stark, modern structure.

The Southern New England Telephone Co. already has completed its office building and work will soon be finished on the State mental health building and the Yale University epidemiology and public health building.

LUXURY APARTMENTS BUILT

To the north, two high-rise luxury apartment houses with a total of 518 units have been filled. A third will soon rise, as well as two smaller apartment houses.

To accomplish all this, the city has had to relocate 5,200 families, a third of which it said were single persons. In the process, social problems were uncovered that the city found itself ill-equipped to handle.

With the help of \$2.5 million from the Ford Foundation in 1962, the city established the Community Progress, Inc., a forerunner of an antipoverty program, to provide social services such as youth employment programs, prekindergarten schools, and legal aid. It is now the city's antipoverty program and operates on a \$10 million budget.

Businesses also had to be relocated, so the city created its business relocation office, the first in the country, to offer financial aid and advice. It then created industrial parks on the outskirts of the city as a home for most of the displaced businesses.

With an air of confidence, Mr. Lee and his staff keep coming up with projects. Now in the planning stages are renewal programs for the Hill and Fair Haven sections. Both will probably emphasize rehabilitation.

The State Street area, in the south of the business district, also is under study. Tentative plans include a new civic center, office buildings, a shopping plaza, and a cultural center. I. M. Pei, the architect, has been hired as a consultant.

The only area untouched in the middle of the city is the 18-acre village green, set aside for public use in 1638, and Yale University, whose cloistered colleges lie north of the green.

Mayor Lee assured an interviewer that the city had no plans for either of these.

THE CITY OF HARTFORD AS AN EXAMPLE FOR AMERICA

Mr. RIBICOFF. Mr. President, the September 21 issue of *Look* magazine has an outstanding article entitled, "Our Sick Cities and How They Can Be Cured." This is must reading for all of us who are concerned with the future of urban America. John Peter did a great reporting job on our cities and their needs.

I am proud that special mention has been made of both the cities of Hartford and New Haven, Conn. As a resident of Hartford, I am pleased with the attention given Hartford as one city's answer to downtown decay. Indeed, civic pride in my native city is high, and the article explains the reason for it.

I ask unanimous consent that the article be printed in the *RECORD*.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

OUR SICK CITIES AND HOW THEY CAN BE CURED

(A profile of the city created for *Look* by Ben Shahn and by John Peter)

(NOTE.—Our cities are seriously sick but not hopelessly sick. Many of us are worried, and some of us are ready to give cities up for dead. This issue is about people who find them still very much alive and people who are determined to make them better. The health of our cities represents one of the gravest challenges in the second half of the 20th century.)

EVERYBODY'S GOING TO TOWN

There has been so much talk lately about what's wrong with our cities that some people forget what's right about them. Our cities are sick and running a high fever, but the report of their death has been greatly exaggerated.

When some of us were young, a favorite high school debate topic was "Would you like to live in the city or the country?" It's not much of a debate any more. Seventy percent of us have voted overwhelmingly for the city, and future ballots will swell the urban total. Cities have problems because nearly everybody in the world has decided that in or near a city is the best place on earth to be.

The city has always been the mainspring of civilization. It was the city that nurtured the arts, the commerce and the political freedom of Western man. People have always moved to the city because it maximizes opportunity. It is the escalator to a better life. Miserable as existence frequently is for the Negro in the modern city, he has no illusions that he or his children would be better off back on the farm.

In the American past, the agricultural majority viewed the town with deep distrust. At the time of our first census in 1790, 95 percent of us lived in rural places. There were only 2 cities with more than 25,000 people—New York and Philadelphia. Our Founding Fathers, determined to avoid corrupting city influences, planted the new Nation's Capital in the unspoiled countryside along the peaceful Potomac. Ironically, Washington, D.C., is now our ninth largest metropolis.

As recently as 75 years ago, two out of three Americans still lived in the country. But two powerful forces, long at work, were radically altering their world. The population explosion and the move to the city thrust Americans into a new age.

We are now a nation of 195 million people. Nearly half the people who have ever lived in the United States are alive today. Even with our decreasing birthrate, we should double in number to more than 400 million in just 50 years.

During the last decade, for the first time in our history, our rural population declined, despite surging national growth. As we continue to turn our farm into efficiently mechanized food factories, the end of the trend is nowhere in sight. Everybody's going to town. The combination of push and pull—push off the farm and pull to the city—has created unheard of urban density. Seventy percent of our urban population is concentrated on 1 percent of the country's total land area. The big squeeze is on.

The Census Bureau lists 225 metropolitan areas of 50,000 population or more. But many of these are already merging into one another to form strip cities, 13 of which contain half the population of the United States. The continuous urban spread from Boston to Washington, D.C., first described as megalopolis by the French scholar Jean Gottmann, is the wealthiest, most industrialized area on earth. So vast are its implications that Gottmann wrote that it "gives one the feeling of looking at the dawn of a new stage in human civilization."

Most of us think of the city in less glowing dimensions. To us, the city means the land within the city limits—the area under the jurisdiction of the mayor. Most often, we really mean the central city, the core city that is the heart of the metropolis, where urban problems are at their worst. Some experts have diagnosed the city's sickness as heart trouble.

Historically, the old center of the American city has always been the staging area where immigrants from abroad and migrants from our farms learned about urban life. The latest arrivals in our cities are every bit as useful to our society as the countless waves that preceded them. As University of Chicago sociologist Philip Hauser observed recently, "Every newcomer group was greeted in the same manner by people who had got-

ten off earlier boats—with suspicion, distrust, hostility and discriminatory practices. Micks, Krauts, dumb Swedes, Polacks, Chinks, Wops, Dagos, Bohunks—what ever happened to all that riffraff?"

Our newest newcomers have been living in our country for quite a while. In fact, some of their ancestors met the first boat. About 10,000 American Indians a year are leaving their reservations for the paleface city. They favor big cities like Chicago and Los Angeles. Old-line Americans, white and Protestant, are also coming down from the mountains to a homelike hillbilly slum in northern Chicago. They have been damned for the same social shortcomings usually associated with nonwhites.

The most numerous newcomers to the city have been the Negroes from the rural South. When a hard-pressed Harlem policeman urged a mob to "Go home, go home," from the back of the crowd came the reply, "We are home, baby." The core of the older big cities has become the home of our Negro citizens. The nonwhite population of the United States over the last 50 years has stayed at a fairly steady 10 percent, but now about three-quarters of them live in cities. American Negroes appear more numerous. More importantly, our discrimination is more visible. Out of backwater bondage, they have moved into the mainstream of American life. It is already beginning to carry them beyond the ghettos of the core cities to the middle-class outlying districts and the suburbs.

Too many, though, are trapped in the crumbling slum, while, like Mark Twain's ethical man (defined as a Christian holding four aces), we insist on a slow walk to the exits. It will be a long, hot decade for the city unless these Americans get the chance to move up in our society, and get it fast.

The swiftness of urbanization has left us with a national nostalgia for our rural past. "You can get the boy out of the country, but you can't get the country out of the boy" applies to a generation that was born in the country and moved to the city. Even a most urban-aware President and Vice President seldom fail to reminisce on their rural and small-town origins. Our flight to the suburbs is an understandable attempt to combine city benefits with country living.

Few urban subjects have been more misinterpreted than this move out. Unseemly eager pallbearers might have us believe that the city's life-giving population is ebbing away. The latest census figures show expected gains in all top 20 metropolitan areas except Pittsburgh. In over half of the 20 areas, the city counties have strongly outpaced their suburban counties. Chicago's Cook County, for example, gained nearly one-and-a-half times as much as all five of its suburban counties. New York City posted the largest national gain—more than all its populous four suburban counties put together.

THE CURES ARE NOT QUICK, CHEAP, OR EASY, BUT THEY ARE KNOWN

Something has happened, however, in some of our big cities that does not show up in the statistics. Since 1950, in New York, some 800,000 middle-class whites, traditionally the strength of the metropolis and its economy, have been replaced by 800,000 Negroes and Puerto Ricans who, for the most part, are unskilled or semiskilled. The middle-class white did not leave the metropolitan area, he just stepped across the city line. In the low-taxed, green suburban acres, both rapidly vanishing, he built a protected nest for his family, complete with churches, schools, and shopping centers. Park Forest's Illinois State Representative Anthony Scariano put it this way about the Chicago area, "We've become accustomed to thinking that Chicago is the place where we earn our living, and

the suburbs are the dormitory where we leave our wives alone in a nice safe place and the kids are in a lily-white community with good schools."

An undetermined number of young city families have been replaced by old folks, returnees from suburbia. The over-65 group in metropolitan areas has grown 45 percent in the last decade alone. Cities, not the publicized retirement villages, have become the home of our senior citizens. Today, our central cities contain a concentration of the poor, the elderly, and the discriminated against.

These problems bear down most heavily on one man—the mayor. As far as the city goes, every mayor well might have on his desk President Harry S. Truman's celebrated sign: "The buck stops here." One of our most cherished myths is that the buck also disappears here. Lincoln Steffens' charge of bosses, boddies, and job sellers half a century ago is simply no longer true. According to Fortune, "The big city must rank as one of the most skillfully managed of American organizations—indeed, considering the problems it has to face, it is better managed than many U.S. corporations."

The modern mayor has the management skill of a corporation president. He is pressing into service the methods and equipment of modern industry. Mayor Sam Yorty's computers in Los Angeles now handle city statistics that one consultant calls nine times more complex than a Mars shot. The problem at most city halls is neither efficiency nor honesty, though hanky-panky persists in some spots. What every city badly needs is leadership with positive programs and action. Mayors like Richard C. Lee of New Haven, John F. Collins of Boston, or Detroit's Jerome P. Cavanagh (see "The Mayor Who Woke Up a City") have been able to mobilize their cities behind their efforts.

The undeniable truth is that we are loading our cities with burdens they were never created to carry. Local government spending has shot from \$9 billion in 1946 to \$50 billion today, and it looks as if that total may double by the 1970's. In seeking a cure to the sickness of our cities, we must sort out those problems for which cities are clearly responsible from those that stretch beyond their jurisdiction.

The one accurate index to our cities' responsibilities is the budget. Cities spend about half their money for education. We find a stock story of overcrowded facilities, substandard teaching, and outmoded methods. At its toughest, the situation is summed up by the remark of a tired Harlem teacher, "You don't worry about teaching these kids here. You just keep them from killing each other and from killing you." However, this classroom jungle is only part of the picture, even in the embattled New York City system. There are also the celebrated specialized schools like the Bronx High School of Science, with its record number of National Merit scholars, or the School of Performing Arts (see "A Teenager Takes the City"), as well as the City University of New York, which each year ranks first or second nationally in number of alumni who earn doctoral degrees.

Highways take the next slice of the American city's budget. Yet astronauts can make it around the world in the time it takes some suburbanites to get to work. Los Angeles allots 70 percent of its downtown land to the automobile—more space to cars than people. The freeway system to be completed in 1980 would, if straightened out, reach halfway across the United States. If all those who ride subways to Manhattan drove, their cars would fill a multilevel parking lot from the Battery to 60th Street. To date, the urban-traffic tangle has been matched only by harrowing statistics and stopgap

solution. San Francisco's new billion-dollar rapid-transit system (see "Super Solution to the Traffic-Tangle") is an all-out try for a cure that everybody's watching.

Our cities are also responsible for the welfare of their citizens. In New York, responsibility means a bill for half-a-million people on city relief. City-budget planners know, too, that a cut in educational and welfare only ups the cost of policing. Our police departments vary from poor to good-and-improving. One reason for improvement is men like Chicago's able superintendent O. W. Wilson, former dean of the School of Criminology at the University of California (Berkeley), who feels that "the function of the department is to maintain an orderly society, not just to enforce the law."

These city-budget outlays for education, highways, health, welfare, and police, as well as other city concerns—water, pollution, housing, poverty, etc.—all extend well beyond the city limits.

Any schoolchild would assume that problems beyond the city's control would naturally be handled by the State. That youngster has a lot to learn. The political cards are stacked against the city, and the rural-dominated State legislatures have eched it out of most everything, including its fair share of the State taxes. This fancy shuffle would seem a difficult trick for only 11 States have greater rural than urban population. It's frequently easy, because the suburbs often vote with the rural lawmakers, against their own city.

State legislatures have hedged our cities with jurisdictional restrictions. The football fans who roar for John Unitas (see "Big Man in Baltimore") know that the city of Baltimore also means Carroll, Howard, Anne Arundel and Baltimore counties, but the Maryland State Legislature has repeatedly refused the city the right to an earnings tax on the people of the area who work in the city. Legislators hamstringing cities in countless other ways. In Massachusetts, statewide personnel laws with built-in preferences and qualifications make it difficult to hire competent municipal civil servants. Everywhere, State governments, by interference or neglect, are forcing urban chores on our Federal Government.

Even in Congress, we are governed by rural lawmakers. Over half the Members of the Senate and nearly half the Members of the House of Representatives have rural backgrounds. Senators, elected at large from the States, have been notably more responsive to our cities' needs than Representatives whose congressional districts can be gerrymandered by State legislatures. The balance may be changing with the battle over reapportionment in the wake of the Supreme Court's one citizen-one vote ruling. We are in the middle of a decisive struggle between rural and city interests.

The now open alliance between city hall and the Federal Government radically improves the prognosis for our cities. Some people who charge Federal intrusion forget it was Federal policy that subsidized single-family home ownership with FHA-insured loans, creating the postwar suburb and shrinking the city's tax base.

The problems of our cities "are, in large measure, the problems of American society itself," wrote President Lyndon B. Johnson, in submitting to Congress his request for a Department of Housing and Urban Development (HUD). Originally proposed by President Kennedy in 1961, the new Department will enable the Government to coordinate its efforts and give urban problems Cabinet-level attention.

Anyone who thinks that HUD won't change things fails to appreciate the Government's astounding new commitment to the city. A major national urban research project will

be part of the Johnson legislative program next year. Vice President HUBERT HUMPHREY describes it in spacious terms: "We make the investment to put a man on the moon * * * We can also make the investment to help a man stand on his own two feet here on earth."

Few big-city subjects raise more dust than urban renewal. Critics argue that the renewal drive has eliminated far more homes than it has created; that the new homes have been for new people, not the displaced; that "cleaning up the slums" has meant building "sanitary slums." All these charges are serious, and all are substantially true. Urban renewal has frequently resulted in barracks ghettos, like Chicago's Taylor Homes. But it has meant as well housing developments like Washington, D.C.'s South-west (see "Leading Lady in Urban Renewal"), cultural projects like New York's Lincoln Center for the Performing Arts and commercial developments like Hartford's Constitution Plaza (see "One City's Answer to Downtown Decay"). Urban renewal has also provided the training field for a new kind of city specialist—the town planner. The talented list includes Philadelphia's Edmund Bacon, Boston's Edward Logue, San Francisco's M. Justin Herman, and Detroit's Charles Blessing.

Urban renewal has been one way that we have decided, through our elected representatives, to invest our national money in the salvation of our cities. To date, even with \$4.7 billion already appropriated by Congress, we have scarcely begun. In the next 40 years, we will rebuild virtually the entire urban United States. Here, at the start of this task, we ought to be able to learn from our early mistakes in renewal and try to emulate our successes.

The help of the Federal Government is by no means limited to urban renewal. The \$325-million Urban-Mass Transportation Act is city-focused. The aid to education program will mean \$750 million for the cities. The billion-dollar poverty program, aptly described as human renewal, is virtually all education, and most of it for the city. Add the figures up, and the total means real help. "The city has lost its tax base," explains Senator ABRAHAM RIBICOFF, "and the Federal Government is helping to make it up."

Another hopeful sign is the recognition by responsible citizens that our cities can and must be saved. Pittsburgh, Philadelphia, and Wilmington are first-class examples of communities whose people are conducting a rescue operation. All America City Awards by Look and the National Municipal League each year have cited dozens of other cities and their citizens. Churchmen, businessmen, professionals, educators, and social workers have become rededicated urbanists. The activity of a single person like Houston's school board member Mrs. Gertrude Barnstone (see "A Lady Stirs Her City's Conscience") can rouse common concern for a city. In the search for the cure, one thing is certain—a city can only be saved if the people care to save it. An increasing number of people do care. They are at last becoming actively involved, instead of just passively lending their names to civic organizations and city commissions. The cures for our cities are not quick, cheap, or easy, but they are known.

Today, we are witnessing a historic change in the size and purpose of our cities. They are rapidly losing their age-old manufacturing and warehousing function. They are becoming the idea, management and decision headquarters. Their libraries, laboratories, museums, and universities make them the cultural, educational, and communication centers of our age.

9 of our 20 largest cities are west of the Mississippi

City and rank, 1965	Population		Rank, 1940
	1965	1940	
1. New York, N.Y.	7,809,197	7,454,995	1
2. Chicago, Ill.	3,674,668	3,390,808	2
3. Los Angeles, Calif.	2,720,917	1,504,277	5
4. Philadelphia, Pa.	1,964,464	1,931,334	3
5. Detroit, Mich.	1,738,620	1,623,452	4
6. Houston, Tex.	1,013,277	384,514	21
7. Baltimore, Md.	933,390	859,100	7
8. Cleveland, Ohio	924,233	878,336	6
9. Washington, D.C.	802,154	663,091	11
10. St. Louis, Mo.	768,777	816,048	8
11. Milwaukee, Wis.	759,857	587,472	13
12. San Francisco, Calif.	755,122	634,536	12
13. Dallas, Tex.	696,067	294,734	31
14. Boston, Mass.	688,253	770,816	9
15. New Orleans, La.	674,589	494,587	16
16. San Antonio, Tex.	653,542	253,854	35
17. San Diego, Calif.	647,743	203,341	43
18. Phoenix, Ariz.	604,010	65,414	104
19. Pittsburgh, Pa.	570,489	671,659	10
20. Seattle, Wash.	563,215	368,302	22

This shift has intensified the problem of the disenfranchised in our cities. Today, the downtown office industries demand high skills. The low-skilled jobs are moving out of town, leaving the untutored behind. Jobs are critically essential because they mean not only income, but self-esteem. Education is the key to jobs in the changing city and throughout our new society. With modern skills learned, today's slum dwellers may become tomorrow's suburbanites, living where their jobs have gone, while suburban executives return to the pleasures and conveniences of urbanism.

What we have mistaken for sickness is the fever of change. If all this change disturbs you, know that it probably disturbs your children less. Change comes easier to those under 25, who now constitute nearly half the population of the United States. When we fear for the future of the city, we should not underestimate the young or the rest of us. As Buckminster Fuller remarked recently, "Today, we can do anything Buck Rogers can do and do it better."

DETROIT'S JERRY CAVANAGH—THE MAYOR WHO WOKE UP A CITY

In 1961, when 33-year-old attorney, Jerome P. Cavanagh decided to run for mayor of Detroit, the city was noted for three things: automobiles, bad race relations and civic sloth. Against the odds and without the support of labor or business, independent Democrat Cavanagh who had never held elective office, bullied his way to an upset victory. Detroit has not been the same since. This city that wallowed in the trough of urban chaos has come to know Cavanagh as a driver with vigor, imagination and competence. To wake Detroit, Cavanagh cleaned out a swarm of city hall drones, brought in a bright young cadre of high-gear executives and plunged feet first into an administrative swamp that had mired many of his predecessors. To help solve the city's problems, he persuaded automobile industry bigwigs that Detroit's health was essential to theirs, got the labor unions to back his reforms and convinced the Negro third of the city's population that they were, at last, part of its concern.

"YOU HAVE TO PUSH A LITTLE BIT"

Jerry Cavanagh's day begins at 9 in the morning and sometimes ends at midnight. From breakfast to late night drinks, it is entirely political. Every chance encounter is a source of information, an opportunity to try out a new idea. Cavanagh wants results, and by now, everybody in city hall is keenly sensitive to that demand. "We have the 'strong mayor' type of government here," he says, "and I intend to use every moral and legal power the office possesses." Cavanagh replies to each piece of mail that comes into

his office. He farms out complaints to his subordinates and insists on answers. If a department head is slow in following up, a fast blast issues from the mayor's office. "I guess I'm a little abrasive at times," Cavanagh says disarmingly, "but in this job, you have to push a little bit." His "pushing" is driving "Wheel Town" to a new pride in itself.

Jerry Cavanagh is a man who wears success like one of his well-tailored suits. He works hard to get it, and he expects it. Four years ago, Cavanagh, then 33 and a prosperous member of a Detroit law firm, scanned the political horizon in his native city and decided it was time to make his move. Detroit's problems were those of other large American cities: burgeoning blight downtown, the white flight to the suburbs, a dwindling tax base, a high crime rate, rising unemployment and a big budget deficit. A bog of civic lethargy discouraged potential industrial newcomers and alienated the automotive giants already there. Detroit had another, special problem: flammable tensions between its police department and the one-third of the city's 1.7 million citizens with black skins. After several murders of white women in Negro areas, Cavanagh's predecessor, Louis Miriani, had ordered a police crackdown. In the ensuing police drive, Negroes were indiscriminately frisked on the street, dragged into police stations, held on vague charges. The black ghetto boiled.

Cavanagh, 7 years out of the University of Detroit's Law School and a political amateur who had never held an elective office, decided to run against Miriani. His reason: "I thought I could win." Almost nobody else did, including many of Cavanagh's friends and exschoolmates who volunteered to work in his campaign. Detroit's newspapers, business and labor leaders backed the incumbent against the upstart, while Cavanagh's team relied on nickels and novenas, a gut-busting campaign and the Cavanagh instinct that Detroit was ready for something new. Negroes voted overwhelmingly for the young Irishman, and white voters swung to him, too, if not as heavily. He won by 42,000 votes, and Detroit's engine got itself a spark plug.

"The first 6 months were crucial," he explains. "We were out to establish our attitude. Since we didn't owe anything to anybody, we could swing from the floor." Amid the anguished walls of commuters, he successfully sponsored an income tax on everyone who worked in Detroit. By the end of this year, the tax revenue will have erased the \$34.5 million budget deficit he inherited when he took office. Cavanagh also cut the city's property tax. "I think these things have helped give the conservative element in the business community greater confidence in our administration," he now says, adding wryly, "when I was elected, I think they thought I was going to blow up the City-County Building. Cavanagh has issued an executive order against racial bias in hiring and promoting city employees, appointed Negroes to important positions in his administration, recruited a police commissioner who shared his ideas about enlightened police procedures. (Until Cavanagh named a Negro police inspector, there had never been a Negro above lieutenant on Detroit's force. Negroes comprise over 30 percent of the city's population, but only 3 percent of its police force.) While Cavanagh made it plain that "If you want to be paid like pros, you've got to act like pros," he has raised police salaries 25 percent during his 4 years in office. He has also upped the salaries of other city employees.

In one of his first encounters, he locked bumpers with labor unions whose featherbedding and excessive charges had discouraged industrial exhibitors from using Detroit's \$55-million convention center, Cobo

Hall. After he threatened to do the work with city employees, the unions relented, and conventions are again filling Cobo Hall, bringing the city much-needed revenue. To provide the drive for the Cavanagh crusade, the young mayor has shaken up bureaus and departments, axed some of the deadwood and installed his own men, many of them young shakers cut to the hustling Cavanagh pattern. "He's an easy guy to work for," says one of his small band of idea men, "as long as you do a superb job."

Part of Detroit's problem was that most of its automobile executives lived, not in the city, but in its comfortable suburbs and felt the city's headaches were not theirs. Cavanagh campaigned tirelessly to alter this view. "The slums of Bloomfield Hills (a sleek suburban community) are right down here in Detroit," he told one group. To widen the pool of talent available to the city administration, he has persuaded industry and labor chiefs to lend some of their best men as consultants to the city. Even more important to a city with a chronically large unemployment roll, Cavanagh has helped convince auto firms that had been building plants in other parts of the country to build or expand in metropolitan Detroit. General Motors is putting up a \$100-million factory in the area, and Ford has almost completed a new stamping plant that will provide work for thousands.

Attracting new industry to Detroit is high on the Cavanagh priority list. But even higher is what he calls "social renewal," a concerted attack by city agencies on the causes of poverty, disease, slum housing and other social ills. "There isn't a city in America that doesn't have a physical master plan," he explains. "What we don't know so well is how to live in a large American city, how to get on with each other, how to renew our human and social values."

To get his social-renewal program swinging, Jerry Cavanagh has relied heavily on Federal money. As the only elected official on President Lyndon B. Johnson's Metropolitan and Urban Problems Advisory Committee, he was well-placed to anticipate the Government's specifications for its antipov-erty programs. It is no accident that Detroit officials were first in line with plans that dovetailed with ideas the committee had suggested, or that Detroit gets more Federal aid than any city except New York and Chicago. Detroit now has 21 urban-renewal projects underway, for which the United States will give \$36 million: an umbrella-like and well-coordinated antipov-erty program, an accelerated public works scheme, an outsized highway program, and a host of other plans largely reliant on Federal funds. Cavanagh's opponents have criticized him for relying on U.S. aid, but the mayor gives them short shrift. "We send billions to Washington," he says, "and we're entitled to some sort of return." His programs have recently brought the city awards for their comprehensive planning and architecture.

Cavanagh has not hesitated to take unpopular stands. "I'd like my epitaph to be 'We knew where he stood,'" he says. Against the advice of political experts, he endorsed "open occupancy" housing in a city whose voters passed a so-called "homeowners law," which in effect gave homesellers the right to refuse Negro buyers. A Catholic and the father of eight, he ordered "rethinking" in the city's health and welfare departments, which spurred them to come up with a birth-control program more radical than that of any other large U.S. city. He has rebuffed Negro leaders seeking a civilian police review board and a Catholic organization that wanted the city to fly a "One Nation Under God" pennant beneath the American flag on the City-County Building. Some old-line policemen grumble that he has tied their

hands by insisting that they use more tact in tense neighborhoods.

One of Cavanagh's biggest jobs has been to impart his sense of commitment to city employees, who have seen mayors come and go. "I have had to recognize that, philosophically, not all these people are marching under my banner," he says, "and for them, it is quite a change." How does he solve the problem? Richard Strichartz, an on-leave Wayne State University professor and ex-Cavanagh neighbor who is now city controller, says, "We try to identify the fulcrum of change—the people who can make a government stop or go. And we work to change their attitudes. We realize this is going to take time."

Jerry Cavanagh is a gregarious, informal mayor. He chats with city employees, local politicians, and passersby as he moves around trying out ideas and feeling the pulse of the large metropolis at the same time. "The response of the people is tremendous," he exclaims. "They say 'Somebody finally cares about us.'"

Detroit is a vibrant city these days. Not everybody has gotten what he wants, but most concede there is forward motion.

The Reverend James Wadsworth, head of the 22,000-member Detroit National Association for the Advancement of Colored People branch (the association's largest), says, "While Negroes have not deluded themselves that the Messiah has come, they know that we now have a mayor who at least recognizes that they are part of the city." At a \$50-a-plate testimonial dinner for Cavanagh given by business and labor leaders, Leonard Woodcock, vice president of the United Auto Workers, said, "We are glad to have these nice things to say about the mayor now, because we didn't during the campaign. Fortunately, the people of Detroit were wiser than we were."

Jerry Cavanagh is not resting on his press clippings. "In this business," he says, "the field is strewn with the bodies of might-have-beens." But the newspapers, industry, and labor leaders who opposed him in 1961 are now supporting his reelection this fall. It's obvious that the mayor of Detroit is on the way up—and so is Detroit.

His Kids Would Rather See Mickey Mouse

As the duties of his office press more and more upon him, Cavanagh gets little time to spend with his family. His wife Mary, a former University of Detroit campus queen, avoids publicity as assiduously as the mayor courts it. She works hard to see that their eight children are not hurt by having a famous father. "They are used to seeing me on television," Cavanagh says. "They'd much rather see Mickey Mouse." Cavanagh says his wife "growls now and then" about his hectic schedule, but has accepted the demands political life makes upon him. Although he is an enthusiastic sports fan, sandlot baseball games with his boys have become infrequent, and proliferating banquets are adding pounds to his 6-foot frame.

ONE CITY'S ANSWER TO DOWNTOWN DECAY

Grass isn't growing in the streets of Hartford, Conn., but plenty of it grows high above them. Constitution Plaza, a great platform built above the traffic, raises city renewal to a new level. In a mutual benefit plan appropriate to a town famous for insurance, people on foot are safely separated from people in cars. With cars parked conveniently beneath, families are free to stroll among the gardens, shop in the stores, eat at a terrace restaurant and enjoy the fountain, sculpture, open space and shining architecture. The multiblock plaza has also lifted historic Hartford's formidable civic pride to a new high, triumphantly clearing the way for the return downtown.

A PLAZA TAKES TEAMWORK

Constitution Plaza is so overwhelmingly right in so many ways that a visitor might

easily miss its most vital quality—its significance to the future of every city in the land.

The plaza is important because it demonstrates that the central city can be saved if responsible citizens act. First, Gladden W. Baker and Roger Wilkins of the Travelers Insurance Co. picked up the master plan drawn by architect Charles DuBose and invested \$40 million to make it a reality. The next big step came when Phoenix Mutual Life Insurance Co. reversed its decision to move away from Hartford and projected its new, shipshaped headquarters as an extension of the plaza. Constitution Plaza proved to be just the vote of confidence in the city that was needed. Across the street from it, G. Fox & Co., the town's largest retailer, built a \$12 million addition. Now under construction nearby is the new high-rise headquarters of Hartford National Bank & Trust Co. A half dozen blocks away, the Travelers has recently completed a giant computer center. But the spirit of renewal is by no means confined to commercial structures. Bulldozers have cleared the ground for twin apartment towers. Rensselaer Polytechnic Institute is at work on plans for a graduate division downtown. South of the plaza, the Wadsworth Athenaeum, one of the country's finest small museums, is adding a new wing and sculpture court.

Constitution Plaza is also important because it represents a renewal idea of critical value to our congested cities. The "platform principle" places a number of related buildings on a raised base, connected with service and parking areas underneath. It had a forerunner in New York's Rockefeller Center, with its subsurface pedestrian streets. Today, the platform approach is on the design boards in cities across the country—the Pennsylvania Avenue proposal in Washington, D.C., Philadelphia's Market Street East plan, Seattle's waterfront proposal, and San Francisco's Market Street mall. The platform, sorting out people and cars, is no cure-all, but Hartford is a daily demonstration of its worth.

The plaza is important, finally, because it is sufficiently complete to walk through and appreciate. But other downtown projects have not been laggardly. In many centers—Philadelphia, Baltimore, Providence, Boston, Cleveland, Detroit, and St. Louis—the rehabilitation of downtown, though still incomplete, has advanced further than even their own citizens realize. Downtown's new look is beginning to take shape. Factories and warehouses are disappearing. Living, shopping, office, entertainment, and culture centers are going up on landscaped plazas bounded by great loop highways. In Hartford, the visitor to Constitution Plaza can already see the multileveled cities of tomorrow reflected in its great glass buildings.

WISCONSIN MENOMINEES NEED HELP IN GOING ALONE

Mr. PROXMIRE. Mr. President, in 1961, the Menominee Indians of Wisconsin became the first, large Indian tribe to be completely separated from reservation status. The separation was highly controversial. Many of us felt at the time that it was far too abrupt, and that seriously inadequate provision was made for the Indians. These people had by treaty been ceded their reservation—with Federal protections assured—in return for vastly larger areas which had been theirs.

Since the termination, the Menominees have been making a remarkable effort to make a go of a very difficult situation, but they are plagued with lack of skills, with heavy unemployment,

with a tax base pitifully inadequate to pay their school costs and with tragic health problems, including a heavy incidence of tuberculosis.

My colleague, Mr. NELSON, has introduced a bill to assist the Menominees with educational and health grants. The bill has little chance of passing before next year. Meanwhile, it is essential that the Government, through its vast resources—newly infused with legislative authority and funds—assist these needy people, and do so promptly.

This morning, the New York Times published a moving and detailed description of the Menominees' plight. Because the New York Times is, of course, not interested in any special pleading for Wisconsin, this objective analysis should persuade Senators and Representatives of the genuine and immediate need.

I ask unanimous consent to have the article written by Donald Janson, entitled "Tribe in Wisconsin, Deprived of Special Status, Seeks Help in Going It Alone" printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 7, 1965]

TRIBE IN WISCONSIN, DEPRIVED OF SPECIAL STATUS, SEEKS HELP IN GOING IT ALONE

(By Donald Janson)

KESHENA, Wis., August 29.—Overcoming great odds, the Menominee Indians are making a painful but increasingly successful transition from life on a reservation to self-reliance and self-government.

Formidable obstacles remain, however, and the feeling here is that a substantial infusion of Federal aid is needed to keep the Menominee experiment from faltering.

In 1961 the Menominees became the first tribe of any size to lose its status as a ward of the Government. The reservation became Menominee County, Wisconsin's 72d, its smallest and one of its poorest.

Congress adopted a policy in 1953 of moving "as rapidly as possible" to make Indians "subject to the same laws and entitled to the same privileges and responsibilities" as are applicable to other citizens of the United States.

EXPERIENCE IN LUMBERING

Because the Menominees had experience in lumbering and the wealth of a great forest on their 234,000-acre reservation here in northern Wisconsin, they were selected to be the first to emerge from the shelter of Federal supervision, which they had had for more than a century.

When the county was created, a corporation, Menominee Enterprises was established as owner of the land and operator of the saw mill at Neopit. The 3,270 members of the tribe became shareholders and bondholders and delegated voting power to a board of directors. They bought their home sites from the company. A county government was set up, with Keshena the seat.

Problems were drastic and immediate. The Menominees had to close their only hospital. It did not meet State standards, which had not been a problem when the Menominee people lived apart from State government.

The Indians balked at paying taxes. They never had paid them before. Some could not afford to without eating less. There still is much tax delinquency.

Most of the tax burden, monumental for a county of such sparse population and limited income, falls on the corporation. As principal land holder and sole industry, it bears 92 percent of the county's tax load.

This year its tax bill was 49 percent of its net operating income.

WILL TURN A PROFIT

Despite this wholly abnormal expense, the company has been ably managed and this year will pull out of the red for the first time.

It employs 350 persons, but does not have enough jobs to go around. The unemployment rate is 18.1 percent, compared with a State average of 8.7.

The Indians would like to diversify their lumber industry, as their competitors have. If they had the money to make the initial investments, they believe they could produce other wood products profitably, including veneer, charcoal from bark and sawmill waste and chipboard for insulation.

They see a glimmer of hope in legislation that has been before Congress since May. It would finance a study of expansion possibilities in the timber industries and another in development of the scenic county for recreation. It would provide \$5 million in long-term, low-interest loans to carry out recommendations of the studies.

It would also provide about \$3 million for health, education, and welfare.

PROSPECTS DIM

Prospects for passage are reported to be dim, but the sponsors have placed compelling data on the record.

A study earlier this year by the Bureau of Indian Affairs found that to provide services formerly given by the Federal Government, the county had a budget that already exceeded its statutory taxing capacity.

In addition to heavy unemployment, the report found average family income below Federal poverty levels, families well above average in size, a high student dropout rate, welfare payments sapping the county budget, and tuberculosis and diabetes too common.

"One could hardly imagine a set of consequences," it concluded, "that more clearly confirms the unwisdom of saddling full responsibility for local government services upon a small and poor community almost entirely dependent upon a single industry of modest scale and profitability."

There is no incorporated village in the county, no high school, no drugstore, no movie theater or bowling alley, no doctor.

Mrs. Elaine W. Neta, the county nurse, attributed the special health problems particularly to overcrowded living conditions.

Mrs. Neta, a native of Neopit, said a public health service survey this year found 34 persons living in 1 house and 22 existing on 1 income in another.

At first the Menominees despaired of overcoming the handicaps confronting them when Congress, rejecting a warning from the Wisconsin Legislature that the move was premature, insisted on making the Indians "first-class citizens" and cutting Federal costs in the process.

"It was like thrusting a child aside," said Father Marcellus Cabo, pastor at St. Anthony's parish church, the only one in Neopit. "There was a feeling of real anxiety. They were absolutely unprepared for self-government."

The Menominees bitterly resented the loss of their hospital and the failure of the Government to bring conditions up to State standards before abdicating responsibility.

Many still are bewildered over the loss of traditional hunting and fishing rights. This came as a particular shock.

FOREST FULL OF GAME

The Menominees' magnificent pine and hardwood forest is full of game. The wild Wolf River, which tumbles over falls and rapids and winds through sunny glades and deep woods, is one of the best trout streams in the country. The treaty with the Menominees gave them the game, the birds, the fish and the forests of their 234,000 acres forever.

"We needed it the way it was," said Jerome Sanapaw over coffee at the long, homemade kitchen table where he and his wife and some of their 10 children and 18 grandchildren eat.

"We could get plenty of fish and venison and bear meat then," he said. "Now we have to buy everything except in season. Now we have the same hunting and fishing limits on our own land as people from outside."

Mrs. Sanapaw said it meant the family sometimes had to go hungry.

Her husband works on the roads for the county. The couple boards elderly Indians on welfare for extra income. For more room, they have made a bedroom of a bathroom. Their toilet is outdoors anyway. They haul their water from a pump a mile away. Milk is seldom on their budget.

"At 23 cents a quart," Mrs. Sanapaw said, "we can't afford it."

VIOLATION CHARGED

A group led by Mrs. Constance Deer charges that termination violated the Indians' treaty rights, which gave them trust status and perpetual title to their reservation land, a fragment of the 11 million acres of Wisconsin and Michigan they once roamed as hunters and fishermen and harvesters of wild rice.

The Menominees never willingly agreed to termination, Mrs. Deer said. Her group, a small one, is urging repeal of the Menominee Termination Act signed by President Dwight D. Eisenhower in 1954.

Other Indians are resigned to the change but regretful about the way things have turned out.

"It was our way of life," said Mrs. Dolores Boyd, a descendant of Chief Keshena. "We are pushed very hard to live like white people now. It is tragic to see a race of people die."

Since termination she has operated a lunch counter, the only restaurant in the county seat, to make a living and help her daughters through school.

"Termination would have worked much better if it had come gradually," said Mrs. Ernie Goodwill, who was born on the reservation 63 years ago. "We were forced into it. We were misled. We were fooled."

MILL MODERNIZED

Despite their disappointment at the abrupt loss of essentials for which they had long relied on the Government, Menominee leaders resolved to do the best they could.

They nearly depleted their financial reserves to modernize the mill and hire expert outside management aid. The president of the company is a white lumberman, Samuel Clements.

As time passed more Indians have moved up to supervisory jobs. Sales have grown each year. The operation is a success and the Menominees are proud of it.

The company also sees income potential in the lease of sites on wooded Menominee lakes to outsiders for summer homes. The objective is a broader tax base. Several leases have been negotiated.

"People still are not happy about all we lost," said Deputy Sheriff Monroe Weso, "but things are beginning to jell now."

"We are doing things," said Ronald Frechette, 31-year-old member of the county board. "In the past the Government always did our thinking."

AIDED FRENCH EXPLORERS

Names such as Frechette and Grignon are common among the largely Roman Catholic Menominees. Members of the tribe met, aided, and intermarried with French explorers who came to their land with Father Nicollet two centuries ago.

Mr. Frechette noted that 37 attractive new frame homes had been built with Federal Home Administration financing. Before

termination Indians could not establish credit for such undertakings.

New businesses have been started, including small stores, bars, gasoline stations, a motel, a laundromat. Two families have become building contractors.

The mill is on two shifts and paying union wages. Anyone driving by can see steam shooting skyward 16 hours a day, hear the big saws sing, and watch the yellow tractors scurry about with claws full of logs.

"I have every confidence that we will make it if the bill before Congress passes," said Mr. Dickey. "It could put the county on a sound financial footing for the first time."

"The wishful thinking about turning the clock back to the way we used to live is fading," he went on. "In the large majority of the community now there is definitely a realistic will to do."

L.B.J. OPENS ALL DOORS TO NEGOTIATIONS IN VIETNAM

Mr. PROXMIER. Mr. President, there may continue to be teach-ins on Vietnam this fall and winter. Out of this discussion I hope will come some useful ideas as well as the predictable criticism. Academic critics of the administration's policies on Vietnam should be fully aware of the remarkable efforts President Johnson has made to secure negotiations.

Mr. President, I doubt whether there has been a time in history when an American President has gone so far to secure negotiations—to stop the fighting on honorable terms—as has President Johnson with regard to Vietnam.

In a recent column published in the Chicago Sun Times, Roscoe Drummond details just how—as he puts it—no door is closed. All avenues are open.

I ask unanimous consent to have the column written by Mr. Drummond, entitled—"All Doors Open to Viet Talks," printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, Sept. 6, 1965]

ALL DOORS OPEN TO VIET TALKS

(By Roscoe Drummond)

WASHINGTON.—With the help of Senator MIKE MANSFIELD—an Asian expert in his own right—President Johnson has now opened all doors to a negotiated settlement of the war in Vietnam.

Speaking for the White House as well as for himself, MANSFIELD made it clear that all roads lead to the conference table and that by taking any one of them Hanoi can have peace instead of war.

There are three such roads to negotiation and all are acceptable to the United States:

First. We will go to the conference with or without a cease-fire, with or without a truce. We'll negotiate under either circumstance. Hanoi can choose. We prefer a cease-fire, but don't insist upon it.

Second. We will go to the conference table without any advance commitment as to what either side would accept as a settlement. We would not be committed to the conditions which Hanoi might want. Hanoi would not be committed in any way to the conditions we would want. Namely, "unconditional discussions."

Third. We are also willing to go to the conference table after a careful review of positions on both sides to see whether a basis for agreement is conceivable before formal discussions begin. Namely, condi-

tional discussions, if Hanoi prefers it that way.

No door is closed. All avenues are open. It was this third door on which the Democratic Senate leader rapped the hardest.

MANSFIELD compared the objectives outlined by Mr. Johnson in various speeches and the objectives set out by Hanoi on April 12. He found that on three out of four stated objectives both sides were in substantial agreement:

On the right of the people of South Vietnam to have a government of their own choosing without violence or coercion from any quarter.

On the right of the people of North and South Vietnam, on the basis of a peaceful, free, and verified plebiscite, to decide whether to unite or not to unite the two halves of the country.

On the desirability of having all foreign bases and troops removed from both South and North Vietnam after peace is restored.

Either side might phrase these conditions of peace in different terms, but basically each is saying the same thing. This is why MANSFIELD says he sees a narrowing of the issues and hopes that his effort to narrow the dispute will show Hanoi that there is a basis for early negotiation.

A wide difference does exist on one objective: Hanoi wants the Communist Vietcong to have a decisive or major role in any government in South Vietnam and the government of South Vietnam doesn't want any part of the Vietcong. That's what the war is all about. We're prepared to leave this issue to the verified decision of the people of South Vietnam—if Hanoi is.

The MANSFIELD speech did two other things:

For the United States it closed off the most serious chink in the unity of the Democratic Party in support of the President's military actions in Vietnam. MANSFIELD has been a partial critic and, more recently, a reluctant advocate of the President's course. His latest speech shows that Hanoi might as well give up its hope that disunity within the United States will force the Government to stop defending South Vietnam.

For Hanoi, the MANSFIELD speech might add credibility to Mr. Johnson's repeated willingness to negotiate. The Communists have been saying that the President's talk of peace was only a coverup for his desire for war. Not true.

And MANSFIELD, speaking as one who opposed the air raids to the north, makes the peace overtures even more meaningful.

GOOD START FOR HEAD START

Mr. PROXMIER. Mr. President, the brickbats continue to fly at the anti-poverty program in spite of an impressive and heartwarming record of accomplishment.

Seldom have we had a domestic program designed to help people escape from the chains of ignorance that bind them to poverty like Operation Head Start. Little children, who otherwise would, in many cases, have faced a lifetime of difficulty, just because schooling and the facilities of our culture were so strange to them, are going to have a real chance. Not just a few such children, Mr. President, but half a million of them.

This program has been a smashing success, one of which all Americans can be proud.

I ask unanimous consent to have an article analyzing the program published in Sunday's New York Times, entitled "Education: Good Start for Head Start" printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDUCATION: GOOD START FOR HEAD START

(By Fred M. Hechinger)

The United States last week took a historic step toward the extension of school by at least 2 years, beginning at age 3 or 4 instead of the traditional 5 or 6. This may be the eventual effect of President Johnson's announcement that Project Head Start, introduced this year as a short-term summer program for underprivileged youngsters, will be turned into a permanent part of the educational system.

The Head Start summer project, which ended a week ago, was attended by nearly 560,000 children at 13,400 centers in 2,500 communities. It provided an introduction to group activities, art, music, books, and speaking skills and stressed various aspects of getting ready for school. It offered free lunches and medical checkups.

A preliminary report showed that 70 percent of a large sample of children had their first medical and dental examination during the project. In one center, at Tampa, Fla., 12 tubercular cases were found and 50 youngsters were found to have nutritional deficiencies.

Dr. Vera John, of Yeshiva University, said that visits to 14 centers in New York, South Dakota, and California showed the most striking result to be the involvement of parents from minority groups.

A New York staff member commented on the openness of the project. "Mothers came with baby carriages," she said. She added that, in addition to an official ratio of one professional teacher for every 15 children, there was a huge support force of aides, teenagers, college students, and volunteers.

"How can I go back to my crowded classroom after this?" was a typical question among the teachers in the project.

The original program is a form of educational lifesaving. President Johnson described it as the path of hope for youngsters who had been "on the road to despair." But the extension of preschool education beyond the summer, as a continuing, all-year operation, is probably the prelude to a change in the school-starting age.

This is not as revolutionary as it sounds. The children of the well-to-do and of many child-oriented, middle-class families already attend private nursery schools, at least from age four. With the children of the poor now also going to school, the majority of middle- and lower middle-class parents will soon expect the same opportunities for their children.

The reasons for the lowering of the school age are not the same for all segments of society. Today children with a comfortable home environment are exposed from infancy to a variety of educational influences. Few educators appreciate the change brought about by television. The around-the-clock impact of words illustrated by pictures is to the old reading and learning "readiness" exercises what a space ship is to the horsedrawn carriage.

NARROWING THE GAP

In addition, today there are more college-trained parents than there were high-school-graduated families at the turn of the century. The result is much conscious or unwitting home-teaching at an early age.

This widens the gap between the affluent majority and the disadvantaged minorities. Head Start was a last-minute effort to help deprived youngsters to make that gap less forbidding. The permanent preschool program, which is already being tested on a small scale by some communities, including New York, and which the President's announcement turned into a regular adjunct to

schooling, aims at narrowing the gap systematically before going into formal schooling.

A major element in such instruction would be to give slum children verbal facility and the security that comes from contact with sympathetic adults in a friendly setting. These are prerequisites both for mastery of such academic skills as reading and writing and for the acquisition of social skills which replace aggressive and destructive behavior.

For privileged and underprivileged children alike, much of the preschool experience is an effort to teach self-centered little animals how to function as individuals as well as members of a group.

These considerations were undoubtedly in the minds of the educational experts who persuaded President Johnson to take quick post-Head Start steps. These steps are:

1. To establish all-year centers for disadvantaged children from the age of 3, with an expected enrollment of 350,000 needy children in the coming school year and many more within the next 5 years.

2. To offer summer programs for those who are not included in the year-around centers.

3. To initiate a follow-through program for the Head Start children, including home visits, special tutoring, and a careful observation throughout the first grade. For this purpose, Head Start teachers have prepared reports on every child, to be given to the first grade teacher.

The official enthusiasm over the preschool program is understandable at a time when the social dynamite of the Negro slums must be defused. Faith in education as the great social healer is deeply rooted in the American philosophy. It is a faith proven justified again and again—from the night school for immigrants to the impact of the land-grant colleges.

But many experts, including some who are deeply committed to preschool education, are troubled by potential confusion between humane hopes and excessive claims.

President Johnson said that Head Start, "which began as an experiment, has been battle-tested—and it has been proven worthy." But in the view of many experts the question which has not been "battle-tested" is how the preschool experience can be so intensified that it will wipe out handicaps of deprivation, not momentarily but permanently. There is already some experimental evidence that children, who have had preschool opportunities, backslide again rapidly in second and third grade unless highly skilled teachers can continue to guide them and their families.

Dr. Bernice Fleiss, early childhood consultant to New York's operation, said: "Many of the children at the beginning of the summer did not know the names of parts of their body—or even their own name. Now, they know not only what their chin is, but who they are. They have an enlarged knowledge of the world around them and the desire to learn more this coming fall."

But this also implies how important it is that the world around these children—in and out of school—be changed so that it will not wipe out short-term gains through long-term futility.

Preschool experts warn privately—they do not want to curb the enthusiasm for the essentially sound movement—that the only way to avert disillusionment, after a head start of hope, is to grasp the magnitude of the task.

They call for more pretesting of children than has been possible in the first, hastily planned round.

More important, they warn that local communities, States, and the Federal Government ought to prepare the public for the extent of the cost in personnel and operations that must be invested if preschooling is to be more than a flash of hope.

For example, New York City had a Head Start enrollment of about 27,000 this summer. But its year-round preschool experiment had, after 2 years grown only to 7,000. During the summer regular teachers and college students are readily available and school facilities are otherwise largely unused.

Yet many communities have not even begun to provide kindergartens in the regular school structure.

The chronic ills of the schools have largely resulted from large classes. What if Head Start graduates move into such classes?

Last week, as Head Start's success was hailed, a less enthusiastic report was issued on a related enterprise—"Higher Horizons." Introduced in 1959 in some of New York's slum schools and hailed throughout the country, the enrichment program appears increasingly to have relied on its slogan and publicity value—without the support in funds and staffing that gave it promise as a well-funded pilot project.

"School is a place that families have begun to trust as an institution for the first time," said a consultant to the New York Head Start program last week.

If this implied criticism of the regular school system is justified, then the optimism based on preliminary Head Start reports will have to be tempered by concern over the total task of education ahead.

VIEWS ON PROGRAM

An official report on Head Start last week included these comments:

A teacher in Kiln, Miss.: "The Negroes and whites are working beautifully together."

From a consultant's report: "There's not too much difference between little Phillip who * * * had to climb a narrow, steep footpath each day (in New Mexico) and then be driven 25 miles to his first Head Start class and Manuel, the tiny Puerto Rican boy who came to his first class stark naked except for his pencil and notebook."

A parent-coordinator in New York: "We have made more progress in 6 weeks than we have been able to make with parents in 4 years."

RISE IN ENROLLMENTS

The U.S. Office of Education predicted last month that school enrollments will set another record. Last week similar projections were made by the Roman Catholic parochial schools.

Out of a total public and private elementary school attendance of 35,900,000 the parochial schools expect to account for 4,593,000 children, a 1-percent gain over last year.

The Roman Catholic high schools project a 1,124,000 enrollment and a gain of 3.4 percent over the previous year. The Nation's total high school enrollment, public and private, for 1965-66 is set at 12,900,000.

RICKOVER ASKS TEACHERS STAY IN TEACHING

Mr. PROXMIRE. Mr. President, a great breath of fresh air has been blown into American education by Adm. Hyman Rickover, that iconoclastic devotee of education, who has so persuasively deplored the terrible tendency of educators to get lost in the forms, procedures, and mechanics of education, and to forget the basic life of the mind—the great human culture on which our progress is based and on which our future depends.

Ralph McGill recently discussed this Rickover contribution in a recent column. Mr. McGill points to the recent Rickover testimony calling attention to the consequences of Government and industry taking professors out of teaching and into Government or industrial work,

which exacerbates an already serious shortage.

I ask unanimous consent to have Mr. McGill's column, entitled "Young Geniuses Still Need Schools," printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Sept. 2, 1965]

YOUNG GENIUSES STILL NEED SCHOOLS

(By Ralph McGill)

Henry Thoreau entered the following in his journal of January 1, 1853:

"After talking with Uncle Charles the other night about the worthies of the country, Webster and the rest, as usual considering who were geniuses and who not, I showed him up to bed, and when I had got into bed myself, I heard his chamber door open after 11 o'clock, and he called out in a stentorian voice, loud enough to wake the house, 'Henry. Was John Quincy Adams a genius?' 'No, I think not,' was my reply. 'Well, I didn't think he was,' answered he."

Uncle Charles was satisfied, accepting the word of his nephew—whom later generations came to view as at least something of a genius. Time was when the popular concept of a genius was that of a more or less eccentric person who invented something novel, exciting, and useful.

But in our time the broadening of science in our daily life, accelerated and underscored by the marvels of the space age, has enabled us to note that there are many geniuses about. Indeed, a large majority of the students admitted to such an institution as the Massachusetts Institute of Technology may be described accurately as young geniuses.

Demands of science, industry, and the humanities, however, have revealed a need for educational reform in method and curriculum in the elementary and secondary grades. The already serious shortage of teachers is sure to be at a critical point in our colleges and universities by 1970 or sooner.

Adm. Hyman Rickover, an admitted critic of American education, provided testimony at hearings on the Higher Education Act of 1965 that brought new focus on yet another controversy. He strongly criticized the policy of industry and government of luring off professors from both undergraduate and graduate level to serve as consultants. In his testimony the admiral said:

"The primary function of educational institutions is to pass on to our children the intellectual heritage of the past, and in so doing to develop their mental capacities. Institutions at the university level—that is in graduate studies—have the additional responsibility to reinterpret and expand existing knowledge—to engage in what is properly speaking academic research. Such research does not interfere with, indeed it enhances, the education of students who have completed their general education and are specializing in a particular professional field. But the student gains nothing and loses much when his professor goes off consulting government or industry, leaving him to be tended by a substitute, all too often a graduate student working while he writes his doctoral thesis.

"It is generally recognized that we have a shortage of first-rate liberal arts colleges and graduate universities; the shortage springs basically from a lack of qualified professors. We shortchange our youth when we exacerbate the already existing deficit by deflecting college and university professors from their proper task. We adults have been complacent, but the students feel bitterly about this. Much of the research being done for the Government is of dubious value to the student, possibly also to the Government, while the practice of using professors as con-

sultants is wholly detrimental to the students for whom the college and the university exist."

Rickover advocated Government aid to teaching salaries so that the professors might be more ready to remain in teaching positions and not be tempted by consultant salaries of industry and Government.

Many educationists are made uneasy by Rickover. They try with little success, to discount him. He remains influential. His disclosures of the educational gaps in high school graduates who volunteered for service in nuclear submarines—and of the need to set up schools to teach them what their schools had failed to provide—led to considerable reform.

His congressional testimony and his continued writings and addresses on proposed reforms in higher education will be a healthy influence.

BIG BROTHER: OUR IMAGE ABROAD

Mr. LONG of Missouri. Mr. President, today's "big brother" item is an article from a newspaper in Brisbane, Australia, Sunday Truth, dated August 15, 1965.

I think this article should be read by all of those overzealous law-enforcement agents in the United States who are so enthusiastic about the use of electronic devices and techniques.

The image that their practices give to the United States abroad is certainly not very pretty.

One thing that should distinguish our democracy is a sense of urgency to protect the right to privacy of all citizens.

I ask unanimous consent to have this article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Brisbane (Australia) Sunday Truth, Aug. 15, 1965]

HUSH, HUSH, WHISPER WHO DARES, UNCLE SAM IS SNOOPING UPSTAIRS

(By Ian Moffitt)

WASHINGTON.—My contact turned up the car radio as we drove away from the State Department.

"They might have the car bugged," he explained.

This incident really occurred, and he was not joking.

Official snooping is all the rage here.

Branches of the Government have developed spying to an elaborate art, and industrial spies are not far behind them.

Snooping on one's enemies abroad is acceptable, and snooping to uncover criminals at home is downright admirable.

J. Edgar Hoover's Federal Bureau of Investigation in Washington, for instance, is trapping criminals with fantastic new microscopes, electric currents, and ultraviolet rays.

It has a microscope which polarizes light when trained on rocks, soils, and natural and artificial minerals.

METAL TEST

Criminologists observe the absorption and scattering of light to determine the mineral composition of a soil sample and compare it with soil at the scene of a crime.

They also have an instrument which studies the microscopic structure of metals.

In one recent case they found that a tiny strip of chromed steel came from the trim along the left side of the radiator of a 1949 Plymouth car.

The FBI sends an electric current into pistols-bearing obliterated numbers to set up a magnetic field.

The magnetic field is distorted around the obliterated numbers because the original stamping has deformed the internal structure of the metal beneath.

So—hey presto—the FBI men pour a liquid containing fine magnetic particles over the pistol and the magnetic field arranges the particles in the form of the missing numbers.

That is just a sample of what the FBI is doing and nobody is complaining about it.

But protests are growing this week at the snooping habits of the State Department, the Internal Revenue Service, the Food and Drug Administration and other Government bodies.

The Senate Internal security subcommittee, which is investigating Government invasions of privacy, has just released more details of State Department snooping.

PERSECUTION

That august department descended to telephone tapping to try to trap an allegedly disloyal employee—and even opened his safe at night with a high-speed drill.

The employee, Otto F. Otepka, is awaiting a departmental hearing against his dismissal in 1963 from his top-level security post within the State Department.

The Department has charged him with "conduct unbecoming a State Department officer" because he gave information to the subcommittee.

Several Members of Congress—including some on the subcommittee—are hitting back at the State Department with charges of persecution.

More disturbing than Mr. Otepka's alleged revelations to the subcommittee is the unbecoming conduct which his colleagues displayed as they played "I spy."

They sifted through special burn bags allegedly containing incriminating material and used medical science to help them open his safe.

They used a pharyngoscope—which doctors employ to peer down throats—to see how the tumblers were falling.

Another witness has astonished the subcommittee with revelations of Internal Revenue Service snooping to trap suspects.

An employee blandly confessed that he had passed a lock-picking course before embarking on wiretapping, car bugging, and other electronic eavesdropping.

This stanch public servant, James O'Neill, described how he had picked a lock in a Boston suburban office to place a wiretapping device.

A colleague described how an IRS officer had posed as a Coast Guard petty officer during a Boston investigation—in a conference room containing a two-way mirror, a lie detector and microphones in the wall plugs.

The IRS Commissioner, Mr. Sheldon Cohen, confessed to the subcommittee that 10 U.S. cities had IRS two-way mirrors and 22 cities had concealed microphones.

The Food and Drug Administration has an even worse record of officials scampering around the countryside wearing concealed microphones to gather evidence.

One team of them earned the subcommittee's censure for using concealed microphones in a supermarket while investigating the illegal sale of a milk substitute.

Industrial spies are also using sophisticated equipment to steal secrets—including listening devices in briefcases "accidentally" left in employers' offices.

A growing number of American businessmen are hiring professional spies or buying stolen information to keep pace with new products.

Paid industrial spies—generally former military intelligence operators—are undermining research and development projects to steal secrets worth millions of pounds.

They break complicated scientific formulas, send pretty women to gather informa-

tion in fake surveys, and bribe telephone operators, janitors, and disgruntled employees.

INSIDIOUS

But the old art of wiretapping is perhaps their most widely used device.

A tap on the company president's phone allows a rival to beat him to the punch with new products.

Wiretapping is also the most alarming development in Federal Government snooping, the chairman of the Senate subcommittee, Senator EDWARD V. LONG of Missouri, has concluded.

It has become so insidious that President Johnson has ordered a stop to it except in cases of national security.

The old argument about when and whether one should wiretap has broken out here again.

Senator LONG, however, has no doubts about where he stands—or about how extensive the practice has become.

"The subcommittee has so far uncovered a variety of ways in which the Federal Government intrudes into areas of life that were formerly held private by Government agent and individual citizen alike," he said.

"None of the snooping techniques studied by the subcommittee has been more alarming than wiretapping.

"We have been told of Federal agencies using concealed tape recorders, hidden transmitters, bugged conference rooms, mail surveillance techniques, two-way mirrors, and other means to spy on American citizens who have not been convicted of any crime.

"Unethical and unsavory as these methods may be, none compares with wiretapping as an insidious encroachment on individual liberty.

"Wiretapping for domestic law enforcement should be prohibited."

THE CASPER TROOPERS

Mr. McGEE. Mr. President, the city of Casper, Wyo., and, indeed, all of Wyoming, is justly proud of a band of youngsters, the Casper Troopers, who have recently returned home from capturing the World Open Championship in drum and bugle corps competition.

Seven thousand of their fellow townsmen in Casper turned out last Thursday night to welcome the Troopers home after their triumph. But I think they were honoring them for something besides their victory. Their work, their dedication, and their determination, also were being honored. And so were the many adults, led by Director Jim Jones, who have given of their time, energy, and money to help the Troopers achieve their high success. It is more than a drum and bugle corps. It is, as it was described by the Casper Star-Tribune, a character-building activity and a source of pride to the city and the surrounding area. It is a source of pride, too, to any Casper youngster when he can make the grade with the Troopers, Mr. President, and the record of the organization clearly tells us why. It is an example to all.

Founded in 1957, the Troopers have not only drilled and disciplined themselves to near perfection for the sake of competition, but they have established another, more enviable mark. No regular member of the group has ever been in difficulty with the authorities, in Casper or elsewhere. And the Troopers have traveled far and near. Today the organization numbers 130 members. And it has many graduates.

Another facet of the Troopers' activities is brought out by their frontier uniforms. They are cavalry blue and the insignia are those of the 11th Ohio volunteers, the outfit of an heroic young officer who died while trying to relieve a beleaguered wagon train near the Platte Bridge Station in 1865. The young officer was Casper W. Collins, whose name has come down to us, misspelled, in the city of Casper. Today's Troopers keep alive this frontier tradition, Mr. President, and I want to say in offering my congratulations to them on this occasion, that it strikes me as fitting that the blue uniform of the 11th Ohio Volunteer Cavalry should return to Casper and glory and triumph on the centennial of Casper Collins' brave sacrifice on the banks of the Platte.

I ask unanimous consent that a news report and an editorial from the Casper Star-Tribune, marking the welcome extended the Troopers by the people of Casper, be printed in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

GALA WELCOME SET FOR TROOPERS TODAY

(By Jack Fairweather)

"Mrs. Nixon and I shall always have the most happy memories of our snow-capped visit to Casper earlier this month. The splendid performance by the drum and bugle corps was certainly a highlight of the visit for us."

This excerpt from a letter by the then Vice President Richard Nixon to Jim Jones, director of the Casper Troopers Drum and Bugle Corps, in November 1960, is just one of many congratulations and honors received by the corps prior to and since the Nixon campaign stop.

The dream-child of Jones, a Casper contractor, the corps was organized and incorporated as a nonprofit organization in September 1957.

The purpose of the corps as originally described by Jones was to provide a character-building activity for Casper young people which would be a source of pride for the entire city and area.

Jones and his troopers, now numbering 130, have accomplished this and more.

No regular member of the troopers has ever been in difficulty with the authorities. They have traveled far and near in piling up honors for themselves and their city and acting as ambassadors of good will.

On August 21 they put the finishing touch on their 8-year campaign to reach the top. They won the World Open Drum and Bugle Corps competition in Bridgeport, Conn.

Today the Troopers are on their way home and tonight they will receive a well-deserved welcome by officials of their State and city.

Their homecoming started this morning in Sioux City, Iowa, where they received an honorary police escort from Morningside College to the city limits.

The Troopers have returned home triumphant several times in the past but this evening's welcome at the Natrona County High School auditorium is expected to surpass anything in past years.

The Troopers will be met in Lusk at 6 p.m. where the corps will take time out for a chicken dinner, courtesy of Rex Canfield of the Red Barn Restaurant.

At 8 p.m. the world champions are due to arrive at the NCHS Stadium where Secretary of State Thyra Thomson and Casper Mayor Patrick Meenan along with an expected 5,000 Casper residents will officially welcome them home.

As the Troopers disembark from the buses they will perhaps recall past welcomes in the

wake of victories at Las Vegas, Nev.; Seattle, Wash.; Denver; University of Colorado and Portland, Oreg. But tonight will, no doubt, be the one they'll remember the best.

The feeling of Casperites for their drum and bugle corps is summed up by the contributions of many persons who worked to organize this evening's activity.

Pacific Power & Light Co. donated the power for the use of the lights at the stadium, Casper Neon Sign is furnishing the labor and the talent to prepare a welcoming sign, the Mustangs gave up their crucial last practice before their first game of the football season and of course many, many people have worked on the arrangements for the welcome.

The "welcome home" program gets underway at the NCHS stadium tonight at 8 o'clock. The public has been urged to arrive early and bring their best cheering voices with them.

The Casper Star-Tribune has printed 700 extra copies of today's paper as a service to Trooper's parents and fans who will want to save the two-page "welcome home" tribute to the corps.

[From the Casper (Wyo.) Star-Tribune, Sept. 2, 1965]

WELCOME HOME

Presenting the Casper Troopers—National and World Champions.

It's welcome home tonight for a great group of young people who have achieved outstanding recognition for themselves, for Casper and for all Wyoming.

That there will be a large crowd of Casperites at tonight's ceremonies at the high school stadium, is without question.

The Troopers have come a long way since the organization was first incorporated as the Casper Drum and Bugle Corps on September 24, 1957. It was then, as it has been throughout the intervening years, under the direction of James E. Jones Jr., Casper contractor, who conceived the idea of such an organization under the sponsorship of the American Legion.

There was no great public fanfare in the earlier years, and then Casper residents began to realize that this music and marching corps not only was something new on the community scene but that it definitely offered a colorful new concept for parade and drill.

There were other drum and bugle corps in Casper and the region, but in the Troopers, dressed in their frontier cavalry uniforms, the city and the State could be proud of an organization that reflected the pioneer history of this part of the West.

Although the personnel has changed from year to year as members "graduated" and others came in to take their places, the Troopers as such have achieved distinction as a unit with permanent and close identification to the Casper community.

The honors which the Troopers have won this year reflect credit, therefore, upon all the Troopers who have been members of the corps from its beginning some 9 years ago. Although the emphasis at this time is on the World Open and the National Drum and Bugle Corps Championships, which have just been achieved, the history of the Troopers shows many other victories, near-victories and generally outstanding accomplishment.

No one need be reminded at this time that they have been great ambassadors for Casper. Their fellow townsmen will wish them many, many more years of success, and if they do not always win—as they cannot be expected to do in the accustomed order of things—they will receive no less the loyal support of their community.

UTAH TOURISM

Mr. MOSS. Mr. President, I am pleased to report that a recent survey of Utah tourism shows a rapid increase in the number of visitors to Utah attractions, many of which are being developed through Federal programs. The President's "See America First" campaign appears to have taken hold in Utah.

The survey was taken by the Associated Press. It shows an overall increase of 10 to 20 percent in visitors to Utah this summer. It shows an increase of 100 percent of visitors to Canyonlands National Park, which was created when Congress enacted my bill just last year. The National Park Service is now working on the development program for Canyonlands.

The survey further shows a 50-percent increase at Flaming Gorge National Recreation Area on the Wyoming-Utah border.

Flaming Gorge Dam and Glen Canyon Dam were constructed as a part of the Colorado River storage project, and both dams have created great lakes which have enhanced the natural beauty of their regions, as well as providing an opportunity for wonderful boating and fishing.

I ask unanimous consent to have printed in the RECORD following my remarks, a portion of an article appearing in the Deseret News, for September 2, which reported details of the Associated Press survey.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A 10-percent visitor increase estimated by President Howard Thorley of the Cedar City Chamber of Commerce.

"It looks like there's more tourists this year than any other year," Mr. Thorley said. "I think we need more motels in the future so we can pull some more tourists off the highways. Our facilities are filled every night."

Mr. Thorley said he noted a new influx of tourists from Eastern States. But he said 50 percent of Cedar City tourists are from California—with a large number from Nevada.

A 50-percent visitor increase estimated by Paul Larson, chief ranger at the Flaming Gorge Recreation project of the National Park Service.

FARTHER AWAY

"By early August we had as many visitors as we had all calendar year last year," Mr. Larson said.

He said the project had 155,000 visitors by the end of July—compared with 167,400 by the end of last year. He projected a visitor total between 225,000 and 250,000 by the end of this year.

"The bulk of use is from Utah and Wyoming," Mr. Larson said. "But we've noticed this year we're getting them from much farther away—Denver, Grand Junction."

An increase in the Manila District of Ashley National Forest near Flaming Gorge Reservoir is estimated by Jim Bossi, district ranger.

"I don't have the exact figures handy," Mr. Bossi said, "but we're ahead of last year."

SUMMER FLOODS

He said the increase was not as large as that in the neighboring National Park Service area—and blamed the drop on early summer floods in Sheep Creek Canyon.

"The Sheep Creek campgrounds were wiped out," he said, "and I think the National Park Service is getting some of its people from visitors who might have gone to the campgrounds."

An 11- to 12-percent increase of visitors to Zion National Park, estimated by Del Armstrong, chief ranger.

"We're about 45,000 persons ahead of last year," Mr. Armstrong said. "We should total about 750,000 for the year. Last year we had 705,000."

Mr. Armstrong said there has been a significant increase in the number of persons who remain in the park to camp.

BRUCE CANYON

A 26-percent increase in visitors to Bryce Canyon National Park, estimated by Chief Ranger Robert Morris.

"We should hit 100,000 for the month of August," Mr. Morris said, "compared with 73,000 last year." He said the park had about 300,000 visitors so far this year.

Mr. Morris noted an increase in cars from Eastern States. But he said most park travel is still from California.

A 100-percent visitor increase at Natural Bridges in Canyonlands National Park, estimated by Jim Randall, chief ranger.

"We have no figures for August yet," Mr. Randall said, "but our visitor total was very much increased since our creation as a park on September 12, 1964."

FOUR HUNDRED PERCENT

Mr. Randall estimated increases as high as 400 percent in some areas of the park.

A general impression that this year was a better tourist year than usual, by Keith Hunt, secretary-executive vice president of the Greater Ogden Chamber of Commerce.

Mr. Hunt attributed the increase to better weather, better national and regional advertising and a gradually increasing general flow of tourism. He said Ogden had more conventions this year than usual.

A 20-percent increase in tourists in the Logan area, estimated by Charles Buchner, president of the Cache Chamber of Commerce.

He said the increase was probably because of a general increase in travel, advertising signboards along highways in Nevada, Utah and Wyoming, and a brochure advertising the Cache Valley as a tourist attraction.

A 17-percent increase in Provo tourists, estimated by the Provo Chamber of Commerce. The chamber said it used figures from the Motel Owners Association in making the estimate.

THE DIRKSEN REAPPORTIONMENT AMENDMENT

Mr. ROBERTSON. Mr. President, if we adjourn this year without submitting to the States a constitutional amendment to modify the Supreme Court's far-reaching reapportionment decisions, we may face an unprecedented demand for the calling of a constitutional convention next year.

The High Court's so-called one-man, one-vote formula, requiring both branches of the State legislatures to be based on population alone, has created so much controversy that nearly two-thirds of the States already have petitioned Congress to take some action.

For the first time in many years, there is a widespread demand for the calling of a new constitutional convention, a step which has not been taken since the Founding Fathers met at Philadelphia 178 years ago to draft the historic document.

There is some confusion over the exact number of States now on record as asking for a convention, but it appears to be somewhere between 24 and 27, depending on whether several uncertain cases are counted.

Several other States have memorialized Congress to submit a constitutional amendment to the States without calling a convention. If we fail to heed their plea at this session, these States may join in the call for a convention next year.

Article V of the Constitution says that, on the application of the legislatures of two-thirds of the States, Congress "shall" call a convention to consider proposed changes in the Constitution. Now that we have 50 States, it would require 34 petitions to place Congress under some legal obligation to consider the calling of a constitutional convention.

The law division of the Library of Congress, in a study completed on August 11, reports that, if the requests for a convention received in the 88th and 89th Congresses are combined, the total is 22 or 23 depending on whether Nevada can be counted.

In Nevada, the question is whether its petition to the 88th Congress has been superseded by one this year, which does not request a convention, but asks Congress to propose a reapportionment amendment.

The Senate Judiciary Committee has petitions from two other States—Georgia and Nebraska—asking for a convention on different subjects. Georgia wants the convention to deal with State control of public schools, and Nebraska wants to change the winner-take-all method of counting Presidential electoral votes in each State.

This would make the total number asking for a convention 24 or 25, depending on the status of Nevada.

New Mexico and Tennessee are reported to have passed resolutions this year, but the Library of Congress has not counted them because it has found no record of communications from those States to the House or Senate.

As of now, therefore, petitions from only 9 or 10 more States are needed to place before Congress a decision it has never had to make. If that many more States act, we will be traveling on an uncharted course, and a number of fine legal points will have to be answered.

One of the first questions to arise will be whether petitions can be counted if they were filed over a period of several years, and not just in this Congress.

Another will be whether they must be identical in form, or at least all dealing with the same proposed amendment.

The law division of the Library of Congress found a substantial number of authorities who agree Congress is not obligated to call a convention unless the petitions are "reasonably contemporaneous with one another."

One legal expert in the Library expressed the view that if the petitions were received within a period of 3 or 4 years Congress would be expected to act. The petitions now on file have come in over a 3-year period.

On the other hand, there is a precedent which sustains the belief that Congress would not be obliged to call a convention on petitions filed over a long period of years.

In 1929, the Wisconsin Legislature reminded Congress that 35 States had filed applications for a convention, and called upon Congress to perform its "mandatory" duty. But that list of 35 applications included nearly every petition that had ever been filed, back to 1788, and Congress ignored the Wisconsin resolution.

The Library of Congress found that commentators disagree over whether Congress is required to call a convention when the petitions deal with several different issues. There are some who argue that the calling of a convention was intended to be used only when the required two-thirds of the States feel that a general revision on the Constitution is needed, and that Congress should continue to submit specific changes directly to the States, as it always has done up to now.

However, if Congress called a convention in response to petitions such as are now on file, dealing with only two or three questions, the analysis prepared by the Library of Congress indicates that the scope of its actions could not be limited.

The Library report said:

Manifestly, if the convention, of its own volition, chooses to confine its deliberations to a consideration of only those proposals contained in the State applications, a controversy scarcely would arise.

However, according to the great weight of authority, Constitutional Conventions, once created, become relatively free agents whose final determinations are constitutionally tenable as long as they fall within the scope of the power conferred on such conventions by article V. Consistently with such a view a convention could not be restricted as to the subjects of its deliberations by instructions emanating either from the States or from Congress.

Although Virginia is one of the States which is asking for a convention, its petitions are confined to a request for action that would let the States decide how their legislatures should be apportioned.

Virginia, in fact, has filed two petitions with this Congress, proposing alternative approaches to the problem. One would restore to the States complete control over apportionment of their legislatures, and deprive Federal courts of jurisdiction to entertain suits affecting apportionment. The other petition suggests an amendment to enable the States to apportion one branch of their legislatures on a basis other than population.

In both resolutions the Virginia General Assembly provided that, if Congress submits a constitutional amendment to the States this year, Virginia's request for the calling of a constitutional convention would be considered withdrawn.

I, too, am anxious to avoid the necessity of calling a constitutional convention, and we can do that by passing the new Dirksen resolution of August 11, in which the distinguished minority leader has attempted to meet the objections raised by those who led the fight against the earlier proposal.

I have joined 30 other Senators in co-sponsoring this modified Dirksen resolution. Its only purpose is to let the States apportion one branch of their legislatures on factors other than population.

But the new resolution gives the majority in any State ample opportunity to veto either the constitutional amendment or a reapportionment made under it.

Mr. President, is we get an opportunity to act before adjournment on the modified Dirksen resolution I hope that the Senate will approve it by the required two-thirds vote, and end this speculation over a possible constitutional convention. I say this for two reasons:

First, the Supreme Court's one-man, one-vote decision was bad law from a constitutional standpoint, and bad from a practical and political standpoint.

Second, if the States force Congress to call a convention, it would be a wide-open proceeding which might affect any part of the Constitution. If the trend toward a centralized Federal Government that has dominated acts of Congress and Supreme Court decisions in recent years should be reflected in the deliberations of a constitutional convention, I shudder to think what might become of the old-fashioned idea that this is a union of sovereign States, or to think of what might be done to the 10th amendment, which says that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

MOUNT VERNON, W. VA.

Mr. BYRD of West Virginia, Mr. President, for many years visitors to northern Virginia have considered a trip to Mount Vernon on the Potomac River as a tourist "must" and one of the real highlights of any sightseeing trip in the Washington metropolitan area.

Few realize that Mount Vernon on the great Kanawha River in West Virginia offers scenic attractions and historical reminiscences closely similar to Mount Vernon on the Potomac in Virginia. Both grace beautiful rivers; both manors are spacious structures with white pillared porticos, greatly similar in design; both are on estates formerly the property of our first President, George Washington, during his lifetime; and both have been successfully operated as agriculturally oriented establishments.

The September 5 edition of the Charleston, W. Va., Sunday Gazette Mail reports in detail on the West Virginia cousin to the Virginia Mount Vernon.

I ask unanimous consent to have this article included in the RECORD.

There being no objection, the newspaper article was ordered to be printed in the RECORD, as follows:

MOUNT VERNON ON THE KANAWHA (By William C. Blizzard)

As every schoolboy knows, Mount Vernon overlooks the Potomac River, and is located about 15 miles south of Washington, D.C., in Fairfax County, Va.

Smart aleck schoolboys motoring along West Virginia 17 may therefore be excused some temporary confusion. For there, as

large as life or a little larger, is the Mount Vernon manor house overlooking the Great Kanawha River, about 8 miles east of Point Pleasant, in Mason County, W. Va.

The learned schoolboys of the literary cliche and the less omniscient adults of everyday reality may both be reassured: They have neither lost their senses nor entered the "Twilight Zone." The old home of Martha and George Washington, now a national shrine, is yet on the Potomac River; the similar edifice on the Great Kanawha is the home of Mrs. Harold B. Shadle and son, James B. Shadle. It is also the residence associated with Mount Vernon Farms, one of the largest dairy farms in West Virginia.

The big manor house was built in 1926-27 by James B. Shadle's grandfather, the late Harry Eugene Shadle. H. E. Shadle also built many of the surrounding barns and silos at that time, for he wanted to raise blooded horses and other purebred animals. This he did. His prize livestock included Leghorn poultry, Percheron and Belgian horses, and prize hogs, all of first-rate bloodlines.

Shadle had not at first intended to start a dairy farm. But his purebred stock included Brown Swiss, Guernsey, Jersey, and Holstein cattle, and the dairy business gradually pushed his other interests into the background.

A Mount Vernon distributing plant was built in Charleston, and within a few years Mount Vernon Farms was a leader in the Mountain State dairy industry. During 1 year in the late 1930's or early 1940's, 13 of the 15 most prolific milk producers in the State were Mount Vernon cows.

Harry Eugene Shadle created Mount Vernon Farms as a sort of second career after his retirement, at 65, from the presidency of the Morgan Lumber Co. in Charleston. Begun as an elaborate retirement hobby, Mount Vernon became an animal breeder's showplace and the principal supplier of a dairy which is still a leading milk producer in southern West Virginia.

Shadle died in 1947 at the age of 82, and a son who later managed the estate, Harold B. Shadle, died only a year later. Mrs. Harold B. Shadle and her son, James, now own and operate Mount Vernon. Operations today are limited to the maintenance of a large herd of dairy cattle.

Both the manor house on West Virginia 17 and the Mount Vernon Dairy building in Charleston are similar in design to George Washington's famed residence. That is, they resemble the county homes of the English gentry, dwellings patterned somewhat upon classic models. The tall-pillared portico or piazza is a principal architectural feature.

But the Mount Vernon in West Virginia resembles the Fairfax County Mount Vernon only superficially. The design of the Mount Vernon Dairy building in Charleston adheres somewhat more closely to that of the original.

H. E. Shadle named his farm and dairy "Mount Vernon" for several reasons. Among them were his admiration of General Washington, the fact that Shadle was born on Washington's birthday, and the historical fact that the land on which Mount Vernon Farms is located once belonged to Washington and later to Washington's heirs.

The Mount Vernon manor house on West Virginia 17, which has a full-size guesthouse attached, is actually larger than the Washington mansion. There are only 19 rooms in the original Mount Vernon, and there are 24 in the West Virginia namesake. It is the opinion of Mrs. Harold B. Shadle, who lives in the colonial mansion with a nurse, Mrs. Cleo (Poochie) Harper, that the rooms in her home are somewhat larger than those in the historic shrine.

In any case, the interior of the Mason County mansion is as imposing as the exterior. Surrounding the Shadle home are 1,400 acres of land, most of which are used for farm buildings, pasture, and crops. The

south side of the Great Kanawha River bottom at this point is one and one-quarter miles wide.

On the Shadle property are plaques erected by the State which attest that the land was once part of a George Washington grant, and that it was also the site of an ill-fated "lost colony" originated and financed by the Father of his Country.

The "lost colony" story embodies a historical mystery which deserves a full article in itself. This full article exists, and was done, fortunately, by Dr. Roy Bird Cook, whose thorough research has probed the mystery, so far as this writer knows, as deeply as it has been probed.

Dr. Cook's article appeared in the February 1932, issue of the West Virginia Review, and is titled "Washington's Lost Colony." The information presented here is a summation of Dr. Cook's findings, although the opinions are my own.

In November 1770, George Washington, then a colonel in the Virginia militia, led a group of men, including at least one Indian, into the Great Kanawha Valley. Some of his men continued upriver toward what is now Charleston, but the main body, with Washington, explored the area only as far upstream as the locations of the present towns of Leon and Arbuckle, in what is now Mason County.

For the benefit of archeologists who are puzzled by the lack of buffalo bones at the Indian village site near Buffalo, George Washington left behind strong evidence that the big animals were numerous on the lower Kanawha at the time of his visit.

In Washington's notebook (now preserved in the Library of Congress), an entry dated November 2, 1770, states that his party "killed 5 buffaloes and wounded some others, three deer." There is much comment in the notebook on the abundance of game.

Washington and his men apparently did some exploring on both sides of the Great Kanawha, including the south side of the river, where broad bottom lands are hugged by a great bend in the stream. This bottom land is the location of the present Mount Vernon farms.

The purpose of Washington's visit, according to Cook, was to survey lands to be allotted to soldiers who had served in the French and Indian War. Whatever other soldiers got out of his trip, it is a matter of record that in 1772 Washington himself was granted 10,990 acres of those lands by Lord Dunmore, then royal governor of Virginia.

So Washington's 1770 visit apparently had a personal motive, for in June 1771, he had Capt. William Crawford lead a group which surveyed the area on the south side of the Great Kanawha River from below the mouth of Two Mile Creek to what is now the Putnam County line, a distance of 17 miles. This tract of land contained 10,990 acres, the same acreage granted to Washington by Dunmore a year later.

In July, 1773, Washington advertised his new property for sale or lease. He boasted of the game on the Great Kanawha and the possibility of forming a new State incorporating these lands, with its capital at the mouth of the Great Kanawha.

Washington was not a good real estate salesman. Prospective buyers reasoned that it profited them little if they gained the whole Kanawha Valley if they also lost their only scalps to Indians.

No frontier capital came into being at what is now Point Pleasant, but in November 1774, Fort Blair was built there. George Washington lived at Mount Vernon at the time (surrounded by 8,000 acres of plantation), and in January 1775, appointed an estate employee, James Cleveland, to oversee his western lands.

In the spring of 1775, Washington journeyed to Alexandria and, in his words, "bot a parcel of servants," he intended to send to

the great bend of the Kanawha, in the middle of his 17-mile stretch of river bottom. About 20 of them, with James Cleveland heading the party, arrived at the big bottom which is now Mount Vernon farms on April 22, 1775.

The expedition was an unhappy one from the start. According to Cook, the inhabitants of the new colony were not slaves, but indentured servants, obliged to work out their passage to the New World, but with no other interest in the colonizing venture.

A month had not passed before James Cleveland wrote to Washington that he hated his job, and had been forced to construct a jail to lock up his unwilling settlers. Despite the jail, men continued to escape, and three were finally sent to Pennsylvania to be sold.

Cleveland complained that the game Washington had boasted of 5 years earlier could not be found, and food, clothing, and tools were scarce.

George Washington had the American Revolution on his mind, or he might have taken better care of his settlement on the Great Kanawha. James Cleveland's letters show that he expected Washington to pay the colony a visit. But on June 15, 1775, the Virginia planter was appointed Commander in Chief of the troops of the United Colonies. He never made it back to the Kanawha Valley.

Shortly after Washington's appointment, Lord Dunmore ordered that Fort Blair be evacuated, an action which meant an extremely serious loss of protection for James Cleveland and his little group. The fort was burned by Indians in August 1775.

But the settlement on the lower Great Kanawha existed until at least April 2, 1776. On that date, Cleveland appeared before the county court of Fincastle County, Va., with the certificate of appraisement for the George Washington colony.

Records at Christianburg, Va., show that 28 acres of land had been cleared, 14 buildings erected, 2,000 peach trees planted, and that large crops of potatoes, corn, and turnips had been raised. Monetary values were set at 1,100 pounds, 15 shillings, 7½ pence.

And there, in the words of Roy Bird Cook, the record ends. Historians have found no trace of the colony in written records or actual remains. Was it burned by Indians and the inhabitants slaughtered? Did the colonists abandon the wilderness site? Were they victims of starvation or disease? No one knows.

The location and possible reconstruction of the "lost colony" might be a worthwhile project for a local archeological society. Such a project would be of national historic interest and also a tourist attraction of the first magnitude.

Whatever happened to the "lost colony," George Washington still owned the 10,990 acres of the Great Kanawha when he died in 1799. It was divided into 23 equal parts in July 1802, and awarded to various heirs.

It is interesting to know, by the way, that Mount Vernon, that most American of U.S. historic shrines, was named for an Englishman. The main building was built by George Washington's half-brother Lawrence, who named the place the Little Hunting Creek Plantation. Later, Lawrence named it for Adm. Edward Vernon, his former commander in the British Navy.

THE PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE SUPPLEMENTAL APPROPRIATION BILL, 1966

MR. MANSFIELD. Mr. President, I ask unanimous consent that the un-

finished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10586) making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

Mr. HILL obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Alabama yield without losing his right to the floor?

Mr. HILL. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, the bill, H.R. 10586, making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes, as reported by the Committee on Appropriations, contains a total of \$1,407,181,500, a reduction of \$146,736,500 from the budget estimates, and an increase of \$184 million over the amount of the bill as it passed the House.

The committee has approved for the Department of Labor a total of \$156,526,000, the same amount allowed by the House. This involves supplemental requests to fund the expanding training and related activities authorized by the recent amendments to the Manpower Development and Training Act, approved April 26, 1965. There are also included funds to permit expansion of farm labor employment activities so that the Secretary of Labor may more quickly and accurately determine the need for temporary entry into the United States of foreign agricultural workers to aid in the planting and harvesting of crops.

The committee has approved for the Department of Health, Education, and Welfare a total of \$1,250,655,500, an increase of \$184 million over the House allowance, but a reduction of \$146,294,500 from the budget requests.

The HEW chapter of the bill makes provisions for funds for the intensification of programs dealing with the report made by the President's Commission on Heart Disease, Cancer, and Stroke; for the new program under the recently enacted Elementary and Secondary Education Act of 1965; and for funding the new programs authorized by the Older American Act of 1965, and the National Technical Institute for the Deaf Act.

For the heart, cancer, and stroke program there was a request from the President in the amount of \$44,120,000 to provide funds to the National Institutes of Health, the Vocational Rehabilitation

Administration, and for three items in the Bureau of States Services of the Public Health Service—chronic diseases and health of the aged, communicable disease activities, and community health practice and research. The House provided \$42,920,000, a reduction of \$1,200,000 in the item for "Chronic diseases and health of the aged" inasmuch as the budget request contemplated for project grants \$1.2 million more than is authorized by law for the purpose. The committee has approved \$42,920,000, the same amount approved by the House, but has redistributed the funds, \$20,250,000, within the National Institutes of Health, in compliance with the suggestion from officials of the NIH during our hearings.

The principal, and largest, item in the bill is "Elementary and secondary educational activities" for which the budget request was \$1,295,684,000; the House allowed \$967 million; the committee recommends \$1,151 million, an increase of \$184 million over the House allowance, but a reduction of \$144,684,000 from the budget request.

The committee has provided that terminations and payments under title I of the Elementary and Secondary Education Act of 1965 shall be made on the basis of the full budget request for the purpose, \$1,070,684,000, but the appropriation provided is \$959 million. The appropriation of the lesser amount is predicated on the testimony of Department officials that a lesser amount will be required because of an anticipated delay in getting the State programs initiated, the limitation of not to exceed 30 percent of total expenditures by a school district for basic grants, and for other reasons. But each eligible school district will be assured of receiving its share of the total budget request for basic grants.

The bill contains \$7 million for "Administration on Aging," an increase of \$69,000 over the budget request.

The bill also contains the funds requested, \$420,000, under the National Technical Institute for the Deaf Act to provide for the establishment and operation of a technical institute.

Mr. President, I ask unanimous consent that the amendments of the committee be agreed to en bloc, and that the bill as so amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 3, line 17, after the word "Act", to strike out "\$967,000,000" and insert "\$1,151,000,000"; in line 18, after the word "which", to strike out "\$775,000,000" and insert "\$959,000,000"; and, in line 22, after the word "of", to strike out "the amount authorized to be appropriated for such title" and insert "\$1,070,684,000".

On page 5, line 20, after the word "Sciences", to strike out "\$2,200,000" and insert "\$4,550,000".

On page 6, line 3, after the word "Institute", to strike out "\$4,000,000" and insert "\$5,150,000".

On page 6, line 6, to strike out "\$9,800,000" and insert "\$5,050,000".

On page 6, line 10, after the word "Blindness", to strike out "\$4,250,000" and insert "\$5,500,000".

On page 7, after line 12, to insert:

"GENERAL PROVISION"

"Sec. 201. The provisions of section 207 of the Department of Health, Education, and Welfare Appropriation Act, 1966, Public Law 89-156, shall apply to the items contained in this chapter."

LABOR-HEW SUPPLEMENTAL BILL IMPLEMENTS IMPORTANT GREAT SOCIETY PROGRAMS

Mr. YARBOROUGH. Mr. President, I wish to commend the distinguished chairman of the subcommittee [Mr. HILL] for the great service he is rendering in giving this bill the usual thorough and thoughtful consideration which he and his subcommittee give all bills which come before them and yet still bringing the Labor-HEW supplemental to the floor of the Senate only 2 weeks after it passed the House.

This is a very important appropriation bill, Mr. President, because in it Congress is appropriating funds for many of the Great Society programs which Congress has studied this year and authorized in this 1st session of the 89th Congress.

The sum of \$1,151 million is recommended for the first year implementation of the Elementary and Secondary Education Act. The authorization for title I payments to school districts for the purpose of improving the educations of educationally deprived children from low-income families is increased over the House figure by the amount requested by the administration, \$184 million.

Moreover, the committee has provided that payments to a given school district can be made on the basis of \$1,070,684,000 if the school district can justify the full amount it would have coming to it under this total. Although this is \$100 million less than the full authorization, it is the amount requested for this purpose by the President. In view of the fact that school has already started and part of the fiscal year has already elapsed, this slightly lower amount is reasonable.

I hope that the full amount authorized for strengthening State departments of education under title V of the act, can be restored in future appropriations. Elementary and secondary education is primarily a local and State matter, and with a revival of interest in multistate action as a result of the work of Dr. James Bryant Conant, we should take every opportunity to aid the States in upgrading education at the elementary and secondary level.

The \$20,250,000 expenditure authorized for the National Institutes of Health will provide funds for implementing many of the recommendations of the President's Council on Heart Disease, Cancer, and Stroke. As a member of the subcommittee on Health of the Labor and Public Welfare Committee, I studied this report closely in connection with the Heart, Cancer, Stroke Amendments of 1965. Much of the thrust of this report is aimed at the problem of utilizing the knowledge turned up by our researchers. The best medical research in the world

is worth nothing if we do not put its results into practice. The committee has acted wisely in reallocating funds among the various NIH programs to give higher priority to those programs which deal with getting the new medical knowledge out to the practicing physician. Research and implementation of the resultant knowledge go hand in hand; we can neglect neither. However the gap which exists at the present time in certain fields between the discovery of new things and the use we are making of these discoveries is so critical that justification exists for paying special attention to putting our newly discovered knowledge to work.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 10586) was passed.

Mr. HILL. Mr. President, I move that the Senate insist on its amendments, and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PASTORE, Mr. HILL, Mr. HOLLAND, Mr. HAYDEN, Mr. RUSSELL of Georgia, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, and Mr. COTTON conferees on the part of the Senate.

Mr. HILL. Mr. President, I move that the Senate reconsider the vote by which the bill (H.R. 10586) was passed.

Mr. ALLOTT. Mr. President, I move to lay that motion to the table.

The motion to lay on the table was agreed to.

Mr. COOPER. Mr. President, I have received inquiries concerning the location of vocational training centers. Would this bill have anything to do with that subject?

Mr. HILL. This bill does not deal with that subject. H.R. 10586 is a supplemental appropriation bill, and would not have anything to do with the provisions of funds for such centers.

A distinguished Representative from Kentucky is also interested in one of these schools.

LET US END THIS INJUSTICE— AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT

Mr. YOUNG of Ohio. Mr. President, pending on the Senate Calendar is S. 1935, proposed by the administration to amend the International Claims Settlement Act in connection with, among other things, the disposition of funds deposited in the U.S. Treasury by the Government of Italy to pay claims of Americans who suffered as the result of the fighting in Italy during World War II.

More than a million dollars remain in the fund, and this proposal would re-

open the claims program. A suggestion was made during the hearings before the Senate Foreign Relations Committee of an inequity which occurred during the Foreign Claims Settlement Commission's earlier consideration of personal injury claims, and which a representative of the Commission acknowledged, but which could not previously have been cured because of the absence of congressional authority for further action on Italian claims.

What happened was that two Americans to my knowledge in the same situation were treated differently. The man whose claim was disallowed, Carl Hauss of Cincinnati, Ohio, fought valiantly against the Italian Fascists, and was arrested by them near Milan, Italy, after the armistice. Both the agreement with Italy under which the funds were deposited in the U.S. Treasury, and the legislation providing for the payment of claims, provided for payment of claims of this type, and yet, despite the suffering of Mr. Hauss in the cause of the Allies, his claim was not allowed, while others in the same situation were allowed and compensation was provided.

I know personally, having served with the U.S. Army in northern Italy during World War II, of the continuing participation of the Italian Fascist forces in combat in Italy there after the armistice was signed in 1943 and Italy officially was out of the war. I know of the activities of the partisans against the Fascists thereafter. It would be most unfortunate if Americans who were injured or suffered property damage in Italy could not be compensated from the fund provided by Italy for that very purpose.

A million dollars remains in that fund and I know of no reason for not providing such compensation. The International Law Committee of the District of Columbia Bar Association took this position in connection with this legislation which was proposed but not acted upon in the last Congress, and I ask unanimous consent to have printed at this point in the RECORD a copy of its resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

MINUTES OF THE MEETING OF THE COMMITTEE ON INTERNATIONAL LAW OF THE DISTRICT OF COLUMBIA, HELD FEBRUARY 13, 1964, IN THE BOARD ROOM OF THE NATIONAL SAVINGS & TRUST CO.

Mr. Herman moved the adoption of the resolution and the motion was seconded. After a full discussion, the resolution was unanimously adopted and the chairman was authorized and instructed to deliver a copy of the resolution and a report of the action of the Committee to the Board of Directors of the Bar Association of the District of Columbia with a recommendation that the resolution be approved by the board and that appropriate further action be taken to communicate the position of the Bar Association of the District of Columbia to the Committee on Foreign Relations of the U.S. Senate. The other matter involved S. 947 (proposed legislation relative to the Italian Claims Fund established by the Government of Italy for the payment of claims of U.S. nationals arising out of the war).

The following resolution was moved and seconded:

"RESOLUTION"

"Whereas the Senate Foreign Relations Committee is considering S. 947, one provision of which would pay over the balance of the Italian Claims Funds to the U.S. Treasury toward prisoner of war and detention payments made from other funds; and

"Whereas said fund was provided under international agreement the terms of which allowed the use of the fund only for the payment of claims not otherwise provided for; and

"Whereas there appear to be claims of American citizens not provided for, which should be given consideration by the Congress: Now, therefore, be it

"Resolved, That this matter should be called to the attention of the Senate Foreign Relations Committee in its consideration of S. 947, and that a member of the international law committee be authorized to present this situation at any hearings to be held on this legislation."

Mr. YOUNG of Ohio. Mr. President, a reexamination of this matter is clearly in order. Although it may not be practical at the end of this session for the Senate to debate the question, I hope that when either the legislation is considered by the House of Representatives or in connection with private legislation to provide for the payment of worthy cases out of the balance of the Italian Claims Fund, full consideration can be given to the inequity which occurred to these brave Americans who risked so much for the cause of freedom, and suffered so much as a result. The authority exists under the basic legislation and the funds are available without utilizing taxpayers' money. All that is required is for the Congress to authorize the procedure for the consideration of the claims.

COSTLY SHORTSIGHTEDNESS— TRADE WITH IRON CURTAIN COUNTRIES

Mr. YOUNG of Ohio. Mr. President, our neighbor to the north, Canada, is prospering as never before. Adding somewhat to her general prosperity is the fact that so far this year 187 million bushels of Canadian wheat have been sold and shipped to the Soviet Union for which Canadian wheatgrowers received \$450 million in gold. Last year 239 million bushels of Canadian wheat were shipped to the Soviet Union for which Canadian wheatgrowers received more than \$500 million in gold.

I have maintained all along that right-wing extremists are doing a disservice to their fellow Americans when they shrilly denounce having any commercial relations with the Russians. Of course, we should sell behind the Iron Curtain whatever products of American farms and factories the Russians can eat, drink or smoke or wear. Nevertheless, right-wing extremists shudder at the thought of this.

These shortsighted, superduper patriots, who consider themselves self-appointed vigilantes and who seek to play God with other people's patriotism, declaim against any trade whatsoever with countries behind the Iron Curtain—Rumania, Poland, or any other countries.

Mr. President, we have the great St. Lawrence Seaway, of which we are very

proud, which we are not using to maximum capacity by any means.

The farmers and the industrialists of the Midwest are very proud that so many of our States have ocean ports. In my State of Ohio, we have the cities of Lorain, Cleveland, Ashtabula, Conneaut, and Toledo, which can handle ocean freight. Ships belonging to the Scandinavian countries, Germany, and many other countries can come to those cities, via the St. Lawrence Seaway, with products for the United States, and are available to take on wheat and other products of the Midwest.

Millions of bushels of wheat are rotting in storage bins in this country, gradually becoming nothing except food for rats, while the taxpayers of our country are paying huge sums of money for storage costs. This wheat is being held against sales for cash on the barrel. This is what our good neighbor to the north, Canada, is doing, and the same as West Germany is doing. Both of these nations are prospering as never before. Sometimes West Germany buys wheat from our country—sometimes not as much as we would like to sell her—and converts it into flour and sells it behind the Iron Curtain.

There is a restriction on U.S. sales of surplus wheat to Communist nations, namely, that 50 percent of such sales shall be carried in American bottoms. This is discriminatory against the farmers of the Midwest and against the manufacturers of our entire country.

Mr. President, it is high time to put an end to this costly shortsightedness. Let us follow the example of the Commonwealth to the north. Let us follow the example of other allies, such as Australia, which sells wheat behind the Iron Curtain, and West Germany, which sells wheat products to Communist bloc countries.

Let us try to stimulate the business of the great St. Lawrence Seaway and add further to the prosperity of American farmers and producers. Let us at the same time deserve the blessings of the taxpayers of the country for engaging in trade and selling freely to the nationals behind the Iron Curtain the products that they need—and they need wheat very much at the present time—products that they can eat, smoke, drink or wear.

We owe it to our children and our grandchildren to continue to seek cooperation in this nuclear age, for the choice may someday be limited to cooperation or coannihilation.

I hope that we shall give serious thought to putting an end to our costly shortsightedness that is depriving American farmers and producers of money which they would otherwise have and placing an unnecessary burden on the taxpayers of this country.

Mr. MAGNUSON subsequently said: Mr. President, I listened with considerable interest to the Senator from Ohio making the objective with reference to the so-called 50-50 cargo maritime preference program. I heard only part of his speech.

Much has been said in the past few days regarding the program, which is of

great importance to the American merchant marine in relation to the wheat program. I hope some solution can be worked out.

There are two sides to the question, and at the proper time, those of us who have a complete understanding of the necessity to keep our merchant marine alive and adequate, economic and defense-wise, will work out what we can. We believe that our merchant marine should not be jeopardized or weakened. It has enough troubles now.

When it is remembered that American bottoms now carry only 8 percent in tonnage of our exports and imports over the world, it seems to me it is high time something be done to strengthen it. It is hoped that something may be worked out to the end that the American merchant marine might carry more of these shipments of wheat.

STATE TECHNICAL SERVICES ACT OF 1965

Mr. MAGNUSON. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 949.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 949) to promote commerce and encourage economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise, which were, to strike out all after the enacting clause and insert:

DECLARATION OF PURPOSE

SECTION 1. That Congress finds that wider diffusion and more effective application of science and technology in business, commerce, and industry are essential to the growth of the economy, to higher levels of employment, and to the competitive position of United States products in world markets. The Congress also finds that the benefits of federally financed research, as well as other research, must be placed more effectively in the hands of American business, commerce, and industrial establishments. The Congress further finds that the several States through cooperation with universities, communities, and industries can contribute significantly to these purposes by providing technical services designed to encourage a more effective application of science and technology to both new and established business, commerce, and industrial establishments. The Congress, therefore, declares that the purpose of this Act is to provide a national program of incentives and support for the several States individually and in cooperation with each other in their establishing and maintaining State and interstate technical service programs designed to achieve these ends.

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) "Technical services" means activities or programs designed to enable businesses, commerce, and industrial establishments to acquire and use scientific and engineering information more effectively through such means as—

(1) preparing and disseminating technical reports, abstracts, computer tapes, microfilm, reviews, and similar scientific or engineering information, including the establishment of State or interstate technical information centers for this purpose;

(2) providing a reference service to identify sources of engineering and other scientific expertise; and

(3) sponsoring industrial workshops, seminars, training programs, extension courses, demonstrations, and field visits designed to encourage the more effective application of scientific and engineering information.

(b) "Designated agency" means the institution or agency which has been designated as administrator of the program for any State or States under section 3 or section 7 of this Act.

(c) "Qualified institution" means (1) an institution of higher learning with a program leading to a degree in science, engineering, or business administration which is accredited by a nationally recognized accrediting agency or association to be listed by the United States Commissioner of Education, or such an institution which is listed separately after evaluation by the United States Commissioner of Education pursuant to this subsection; or (2) a State agency or a private, nonprofit institution which meets criteria of competence established by the Secretary of Commerce and published in the Federal Register. For the purpose of this subsection the United States Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of science, engineering, or business education or training offered. When the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such programs, he shall publish a list of institutions he finds qualified after prior evaluation by an advisory committee, composed of persons he determines to be specially qualified to evaluate the training provided under such programs.

(d) "Participating institution" means each qualified institution in a State, which participates in the administration or execution of the State technical services program as provided by this Act.

(e) "Secretary" means the Secretary of Commerce.

(f) "State" means one of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands.

(g) "Governor", in the case of the District of Columbia, means the Board of Commissioners of the District of Columbia.

SELECTION OF DESIGNATED AGENCY

SEC. 3. The Governor of any State which wishes to receive Federal payments under this Act in support of its existing or planned technical services program shall designate, under appropriate State laws and regulations, an institution or agency to administer and coordinate that program and to prepare and submit a plan and programs to the Secretary of Commerce for approval under this Act.

PLANS AND PROGRAMS

SEC. 4. The designated agency shall prepare and submit to the Secretary in accordance with such regulations as he may publish—

(a) A five-year plan which may be revised annually and which shall: (1) outline the technological and economic conditions of the State, taking into account its region, business, commerce, and its industrial potential and identify the major regional and industrial problems; (2) identify the general approaches and methods to be used in the solution of these problems and outline the means of measuring the impact of such assistance on the State or regional economy; and (3) explain the methods to be used in administering and coordinating the technical services program.

(b) An annual technical services program which shall (1) identify specific methods, which may include contracts, for accomplishing particular goals and outline the likely impact of these methods in terms of the five-year plan; (2) contain a detailed budget,

together with procedures for adequate fiscal control, fund accounting, and auditing, to assure proper disbursement for funds paid to the State under this Act; and (3) indicate the specific responsibilities assigned to each participating institution in the State.

REVIEW OF PLANS AND PROGRAMS BY SECRETARY

SEC. 5. The Secretary shall not accept the five-year plan of a State for review and approval under this Act unless the Governor of the State or his designee determines and certifies that the plan is consistent with State policies and objectives; and the Secretary shall not accept an annual technical services program for review and approval under this Act unless the designated agency has, as certified thereto by the Governor or his designee—

(a) invited all qualified institutions in the State to submit proposals for providing technical services under the Act;

(b) coordinated its programs with other States and with other publicly supported activities within the State, as appropriate;

(c) established adequate rules to insure that no officer or employee of the State, the designated agency, or any participating institution, shall receive compensation for technical services he performs, for which funds are provided under this Act, from sources other than his employer, and shall not otherwise maintain any private interest in conflict with his public responsibility;

(d) determined that matching funds will be available from State or other non-Federal sources;

(e) determined that such technical services program does not provide a service which on the date of such certification is economically and readily available in such State from private technical services, professional consultants, or private institutions;

(f) planned no services specially related to a particular firm or company, public work, or other capital project except insofar as the services are of general concern to the industry and commerce of the community, State, or region;

(g) provided for making public all reports prepared in the course of furnishing technical services supported under this Act or for making them available at cost to any person on request.

APPROVAL BY SECRETARY

SEC. 6. The Secretary shall review the five-year plan and each annual program submitted by a designated agency under section 4 or section 7, and shall approve only those which (1) bear the certification required by the Governor or his designee under section 5; (2) comply with regulations and meet criteria that the Secretary shall promulgate and publish in the Federal Register; and (3) otherwise accomplish the purposes of this Act.

INTERSTATE PROGRAMS

SEC. 7. Two or more States may cooperate in administering and coordinating their plans and programs supported under this Act, in which event all or part of the sums authorized and payable under section 10 to all of the cooperating States may be paid to the designated agency, participating institutions, or persons authorized to receive them under the terms of the agreement between the cooperating States. When the cooperative agreement designates an interstate agency to act on behalf of all of the cooperating States, it shall submit to the Secretary for review and approval under section 6 an interstate five-year plan and an annual interstate technical services program which, as nearly as practicable, shall meet the requirements of section 4 and section 5.

CONSENT OF CONGRESS

SEC. 8. (a) The consent of the Congress is given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative

efforts and mutual assistance and in designating agencies, under section 7, for accomplishing the purposes of this Act.

(b) The right to alter, amend, or repeal this section, or consent granted by this section, is expressly reserved.

ADVISORY COUNCIL

SEC. 9. Each designated agency shall appoint an advisory council for technical services, the members of which shall represent broad community interests and shall be qualified to evaluate programs submitted under section 4. The advisory council shall review each annual program, evaluate its relation to the purposes of this Act, and report its findings to the designated agency and the Governor or his designee. Each report of each advisory council shall be available to the Secretary on request. Members of any such advisory council shall not be compensated for serving as such, but may be reimbursed for necessary expenses incurred by them in connection with attending meetings of any advisory council of which they are members.

AUTHORIZATION OF APPROPRIATIONS AND PAYMENTS

SEC. 10. (a) There are authorized to be appropriated for the purposes of this Act, \$10,000,000 for the fiscal year ending June 30, 1966; \$20,000,000 for the fiscal year ending June 30, 1967; \$30,000,000 for the fiscal year ending June 30, 1968.

(b) From these amounts, the Secretary is authorized to make an annual payment to each designated agency, participating institution, or person authorized to receive payments in support of each approved technical services program. Maximum amounts which may be paid to the States under this subsection shall be fixed in accordance with regulations which the Secretary shall promulgate and publish in the Federal Register from time to time, considering (1) population according to the last decennial census; (2) business, commercial, industrial and economic development and productive efficiency; and (3) technical resources.

(c) The Secretary may reserve an amount equal to not more than 20 per centum of the total amount appropriated for each year under this section and is authorized to make payments from such amount to any designated agency or participating institution for technical services programs which he determines have special merit or to any qualified institution for additional programs which he determines are necessary to accomplish the purposes of this Act, under criteria and regulations that he shall promulgate and publish in the Federal Register.

(d) An amount equal to not more than 5 per centum of the total amount appropriated each year under this section shall be available to the Secretary for the direct expenses of administering this Act.

(e) (1) No amount paid for any technical services program under subsection (b) or (c) shall exceed the amount of non-Federal funds expended to carry out such program: *Provided*, That the Secretary may pay an amount not to exceed \$25,000 a year for each of the first three fiscal years to each designated agency, other than a designated agency under section 7, to assist in the preparation of the five-year plan and the initial annual technical services programs, without regard to any of the preceding requirements of this section.

(2) No funds appropriated pursuant to the provisions of this section shall be paid to any designated agency, participating institution, or person on account of any such agency or institution, to carry out any technical services activity or program in any State if such activity or program duplicates any activity or program readily available in such State from Federal or State agencies, including publicly supported institutions of higher learning in such State.

ASSISTANCE BY THE SECRETARY

SEC. 11. The Secretary is authorized and directed to aid designated agencies in carrying out their technical services programs by providing reference services which a designated agency may use to obtain scientific, technical, and engineering information from sources outside the State or States which it serves, for the purposes of this Act.

RULES AND REGULATIONS

SEC. 12. The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this Act.

LIMITATIONS

SEC. 13. (a) Nothing contained in this Act shall be construed as authorizing a department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution.

(b) Nothing contained in this Act shall be deemed to affect the functions or responsibilities under law of any other department or agency of the United States.

ANNUAL REPORT

SEC. 14. (a) Each designated agency shall make an annual report to the Secretary on or before the first day of September of each year on the work accomplished under the technical services program and the status of current services, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of their disbursement.

(b) The Secretary shall make a complete report with respect to the administration of this Act to the President and the Congress not later than January 31 following the end of each fiscal year for which amounts are appropriated pursuant to this Act.

EVALUATION

SEC. 15. Within three years from the date of the enactment of this Act, the Secretary shall appoint a public committee, none of the members of which shall have been directly concerned with the preparation of plans, administration of programs or participation in programs under this Act. The Committee shall evaluate the significance and impact of the program under this Act and make recommendations concerning the program. A report shall be transmitted to the Secretary within sixty days after the end of such three-year period.

TERMINATION

SEC. 16. Whenever the Secretary, after reasonable notice and opportunity for hearing to any designated agency or participating institution receiving funds under this Act finds that—

(a) the agency or institution is not complying substantially with provisions of this Act, with the regulations promulgated by the Secretary, or with the approved annual technical services program; or

(b) any funds paid to the agency or institution under the provisions of this Act have been lost, misapplied, or otherwise diverted from the purposes for which they were paid or furnished—

the Secretary shall notify such agency or institution that no further payments will be made under the provisions of this Act until he is satisfied that there is substantial compliance or the diversion has been corrected or, if compliance or correction is impossible, until such agency or institution repays or arranges for the repayment of Federal funds which have been diverted or improperly expended.

REPAYMENT

SEC. 17. Upon notice by the Secretary to any designated agency or participating institution that no further payments will be made pending substantial compliance, correction, or repayment under section 16, any funds which may have been paid to such agency or institution under this Act and which are not expended by the agency or institution on the date of such notice, shall be repaid to the Secretary and be deposited to the account of the appropriations from which they originally were paid.

RECORDS

SEC. 18. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition of such grant, the total cost of the related approved program, the amount and nature of the cost of the program supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipient that are pertinent to amounts received under this Act.

SHORT TITLE

SEC. 19. This Act may be cited as the "State Technical Services Act of 1965".

And to amend the title so as to read: "An Act to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise."

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendments of the House to the bill S. 949, a bill to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise.

This bill would authorize a broad, imaginative program of matching grants to the States for a cooperative program so that the results and benefits of modern science and technology may be effectively used by American commerce and industry.

The bill was approved by the Senate on July 19 without opposition, after having been carefully considered, reviewed and modified by the Senate Commerce Committee. The measure was cosponsored in the Senate by most of the members of the committee and by other Senators. It was introduced by me and the cosponsors are Senators BYRD of West Virginia, RIBICOFF, MCGOVERN, PASTORE, MONROE, LAUSCHE, BARTLETT, HARTKE, MCGEE, HART, CANNON, BREWSTER, NEUBERGER, BASS, COTTON, SCOTT, PROUTY, PEARSON, and DOMINICK practically all the members of the Commerce Committee.

As the bill has come back to the Senate from the House, it includes only a few significant changes—changes which do not, in the opinion of the committee, warrant a conference with the House.

The differences between the Senate and House bills may be briefly summarized as follows:

First. The Senate bill authorized appropriations for a 5-year period and required a full evaluation of the program by an independent review board after 5 years. The House bill reduced the period of authorization to 3 years and

required evaluation of the program after the first 3 years. This is a reasonable change. An initial 3-year authorization will get the program well underway and a comprehensive review of this new undertaking after 3 years will be helpful in making sure that it is working effectively and properly.

The House bill also eliminated a provision in the Senate bill permitting the Secretary of Commerce to provide additional funds, up to 10 percent, to regional or interstate technical services program without matching funds.

The House made other, more technical amendments, that clarify and strengthen the bill. So I hope the Senate will agree to the motion, approve the House amendments, and complete Congressional action on this important, farsighted measure.

Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

Mr. MAGNUSON. Mr. President, the Senator from Pennsylvania [Mr. SCOTT], who has long been active in the promotion of this bill, and one of the prime movers, with myself, in seeking its enactment—really, the bill should be called the Magnuson-Scott bill—has prepared a written statement. The Senator, unfortunately, could not be present this afternoon because of official business. I ask unanimous consent that his statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCOTT ON S. 949

I am pleased that the Senate today has approved and cleared for the President's signature the Magnuson-Scott bill to establish a State technical services program.

The State Technical Services Act of 1965 will launch a program designed to put into the hands of local businesses and industry throughout the Nation the up-to-date results of scientific and technological research and development. In this manner, the program can contribute to economic growth and more jobs at home and the improvement of America's competitive position in world markets. My Commonwealth of Pennsylvania stands ready to participate actively in this program which I feel can be very beneficial to Pennsylvania's economy and industrial development.

As originally approved by the Senate, S. 949 provided a 5-year authorization of funds for this matching Federal-State grant program. The other body saw fit to cut this authorization back to 3 years. I believe that this change is satisfactory because it strengthens the reasonable controls which we added to the bill in committee without hindering the effective implementation of the program.

I am glad to have participated in the drafting of the State Technical Services Act of 1965, and I want to salute my colleagues in both bodies who, with the expert assistance of the Assistant Secretary of Commerce for Science and Technology, Mr. Holloman, and his staff, have made this beneficial program possible.

RESEARCH DEVELOPMENT IN HIGH-SPEED GROUND TRANSPORTATION

Mr. MAGNUSON. Mr. President, I ask that the Presiding Officer lay before

the Senate the amendments of the House to the bill (S. 1588).

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1588), to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, which were, to strike out all after the enacting clause and insert:

That, consistent with the objective of promoting a safe, adequate, economical, and efficient national transportation system, the Secretary of Commerce (hereafter in this Act referred to as the "Secretary") is authorized to undertake research and development in high-speed ground transportation, including, but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways.

Sec. 2. The Secretary is authorized to contract for demonstrations to determine the contributions that high-speed ground transportation could make to more efficient and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. In connection with contracts for demonstrations under this section, the Secretary shall provide for financial participation by private industry to the maximum extent practicable.

Sec. 3. Nothing in this Act shall be deemed to limit research and development carried out under the first section or demonstrations contracted for under section 2 to any particular mode of high-speed ground transportation.

Sec. 4. The Secretary is authorized to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. In carrying out this activity, the Secretary shall utilize the data, statistics, and other information available from Federal agencies and other sources to the greatest practicable extent. The data, statistics, and other information collected under this section shall be made available to other Federal agencies and to the public insofar as practicable.

Sec. 5. (a) There is hereby established in the Department of Commerce an advisory committee consisting of seven members who shall be appointed by the Secretary without regard to the civil service laws. The Secretary shall designate one of the members of the Advisory Committee as its Chairman. Members of the Advisory Committee shall be selected from among leading authorities in the field of transportation.

(b) The Advisory Committee shall advise the Secretary with respect to policy matters arising in the administration of this Act, particularly with respect to research and development carried out under the first section and contracts for demonstrations entered into under section 2.

(c) Members of the Advisory Committee, while attending its meetings, shall be entitled to receive compensation at rates to be fixed by the Secretary but not exceeding \$100 per day, including travel time; and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Sec. 6. (a) In carrying out the provisions of section 2 of this Act, the Secretary shall provide fair and equitable arrangements, as determined by the Secretary of Labor, to protect the interests of the employees of any

common carrier who are affected by any demonstration carried out under a contract between the Secretary and such carrier under such section. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) to such employees under existing collective-bargaining agreements, or otherwise; (2) the continuation of collective-bargaining rights; (3) the protection of such individual employees against a worsening of their positions with respect to their employment as a result of such demonstration; (4) assurances of priority of re-employment of employees terminated or laid off as a result of such demonstration; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act (49 U.S.C. 5). Any contract entered into pursuant to the provisions of section 2 of this Act shall specify the terms and conditions of such protective arrangements.

(b) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of funds received under any contract or agreement entered into under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary shall not enter into any such contract or agreement without first obtaining adequate assurance that required labor standards will be maintained upon the construction work. The Secretary of Labor shall have with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 1332-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

SEC. 7. In exercising the authority granted in the first section and section 2 of this Act, the Secretary may lease, purchase, develop, test, and evaluate new facilities, equipment, techniques, and methods and conduct such other activities as may be necessary, but nothing in this Act shall be deemed to authorize the Secretary to acquire any interest, in any line of railroad.

SEC. 8. (a) (1) In exercising the authority granted under this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, corporations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

(2) Any such agreement or contract shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such agreement or contract will be made readily available on fair and equitable terms to the transportation industry and industries engaging in furnishing supplies to such industry.

(3) To the maximum extent practicable, the private agencies, institutions, organizations, corporations, and individuals with which the Secretary enters into such agreements or contracts to carry out research and development under this Act shall be geographically distributed throughout the United States.

(4) Each agreement or contract entered into under this Act under other than competitive bidding procedures, as determined

by the Secretary, shall provide that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, may, for the purpose of audit and examination, have access to any books, documents, papers, and records of the parties to such agreement or contract which are pertinent to the operations or activities under such agreement or contract.

(b) The Secretary is authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out efficiently his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 3, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed \$100 per diem, unless otherwise specified in an appropriation Act.

SEC. 9. In exercising the authority granted under this Act, the Secretary shall consult and cooperate, as he deems appropriate, with the Administrator of the Housing and Home Finance Agency and other departments and agencies, Federal, State, and local. The Secretary shall further consult and cooperate, as he deems appropriate, with institutions and private industry.

SEC. 10. (a) The Secretary shall report to the President and the Congress not less often than annually with respect to activities carried out under this Act.

(b) The Secretary shall report to the President and the Congress the results of his evaluation of the research and development program and the demonstration program authorized by this Act, and shall make recommendations to the President and the Congress with respect to such future action as may be appropriate in the light of these results and their relationship to other modes of transportation in attaining the objective of promoting a safe, adequate, economical, and efficient national transportation system.

(c) The Secretary shall, if requested by any appropriate committee of the Senate or House of Representatives, furnish such committee with information concerning activities carried out under this Act and information obtained from research and development carried out with funds appropriated pursuant to this Act.

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$20,000,000 for the fiscal year ending June 30, 1966; \$35,000,000 for the fiscal year ending June 30, 1967; and \$35,000,000 for the fiscal year ending June 30, 1968. Such sums shall remain available until expended.

SEC. 12. This Act shall terminate on June 30, 1969. The termination of this Act shall not affect the disbursement of funds under, or the carrying out of, any contract commitment, or other obligation entered into pursuant to this Act prior to such date of termination.

And to amend the title so as to read: "An Act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes."

MR. MAGNUSON. I move that the Senate disagree to the House amendments and ask for a conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed MR. MAGNUSON, MR. PASTORE, MR. LAUSCHE, MR. HARTKE, MR. MORTON, and MR. SCOTT conferees on the part of the Senate.

NEWSPAPER GROWTH

MR. MAGNUSON. MR. President, when we pick up the morning newspaper

at breakfast, or read the evening paper after a busy day, we often reflect upon the enormous service rendered by those who perform this service.

We could well reflect too upon the size of this industry and how it has grown.

This growth was brought home to me through an editorial carried in the *Everett, Wash., Herald* some weeks ago.

I ask the unanimous consent that the editorial be printed in the *RECORD*.

There being no objection, the editorial was ordered to be printed in the *RECORD*, as follows:

NEWSPAPERS

The newspaper business is one of the largest manufacturing industries in our Nation's economy. Just the physical production of newspapers is so massive that it constitutes 1.53 percent of the Nation's total industrial activity. This activity is measured by the Federal Reserve Board's index of industrial production. For example the value added by the auto industry represents 1.82 percent of the Nation's total activity whereas newspapers represent 1.53 percent, all meat products 1.52 percent, drugs and medicine 1.48 percent, lumber 0.91 percent, TV sets 0.33 percent, etc.

Dr. John Udell of the University of Wisconsin notes that newspaper growth can be measured in other ways also. U.S. newspapers employ one-third million Americans. Thousands of additional persons are employed in the production of newsprint, printing press, and other products needed to supply the Nation's 1,763 daily papers. From 1947 through 1963 newspaper employment expanded 31 percent—more rapidly than total employment in the United States, which increased 19 percent, and 3½ times as fast as employment in all manufacturing industries.

A significant measure of newspaper growth is newsprint consumption, which has increased from 4.3 million tons in 1946 to over 8 million tons in 1964, a growth of 87 percent. The greatest growth of U.S. newsprint consumption has occurred in cities and towns of less than 100,000 population—which have experienced a 70-percent greater expansion than the average of all newspapers in the United States.

And the future of newspapers looks even brighter. Dr. Udell, pointing to projected population increase in the 15-year period between 1965 and 1980, forecasts from 16.4 to 22 million more newspaper subscribers by the latter year. He predicts flatly: "Daily circulation should increase more in the decade ahead than in any other decade in the history of the U.S. newspaper business."

RIVER OF THE WEST

MR. MAGNUSON. MR. President, the largest and greatest river of the Western Hemisphere pouring into the Pacific Ocean is the mighty Columbia, arising in the Canadian Rockies, crossing my State of Washington, and for several hundred miles forming the boundary between Washington and Oregon.

Tributaries of the Columbia, including the 1,038-mile Snake, bisect Idaho, and reach into Wyoming, Montana, Utah, and Nevada.

What this great river system means to Pacific Northwest and Inland Empire Industry, commerce and economy is told by my distinguished colleague in the House of Representatives, the Honorable JULIA BUTLER HANSEN, in a guest editorial in the July Newsletter of the American Mail Line.

Mrs. HANSEN, whose congressional district extends from a few miles above famous Bonneville Dam to the Columbia's mouth, and whose childhood and much of her adult life has been spent on the banks of this great river, also weaves into her editorial some of its history, including early trade with the Orient, and in conclusion forecasts a golden future for this enormous river basin with unsurpassed potential.

Mr. President, I ask unanimous consent that the editorial, "River of West," by the Honorable JULIA BUTLER HANSEN, of Washington, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RIVER OF THE WEST

(By Congresswoman JULIA BUTLER HANSEN, Committee on Appropriations, Subcommittee on Interior, Subcommittee on Foreign Operations)

Years ago, as a barelegged small girl fishing mudcats from the cannery dock at Cathlamet on the lower Columbia River, I began to dream of trade and the world it touched. As the last brigantines sailed upriver to load lumber, when blue-clad pigtailed Chinese crews came each spring to man the sprawling whitewashed salmon canneries, I began to understand the language and customs of other people.

Ever since that almost unbelievably leisurely era, I've realized that perhaps one who stands on the shore of a great moving river or at the edge of a sea touching far nations has perhaps a wider vision than that possessed by men sitting on the prairie. At least, there is the obligation for a longer look and deeper comprehension as to the width of the world and the lives of its people.

The sails of those ships, steamboat whistles in the fog, towboats with logs are part of a world of woven sea-touched magic which is the story of the Columbia River. Two centuries ago, the Columbia was known as the mysterious, undiscovered "River of the West." Thomas Jefferson was sure that it existed—some place beyond the high mountains—a mighty stream for ports, growth, and trade.

William Cullen Bryant said, "Here rolls the Oregon and hears nothing but the sound of its own dashing."

When Capt. John Kendrick and Robert Gray sailed unknown western waters they were under orders, "to avoid offense to any foreign power, to treat the natives with kindness and Christianity, to obtain a cargo of furs on the American coast and to proceed with the same to China and to return from China with a cargo of tea and carry the tea to Boston."

That was the distillate of our trade beginnings.

In 1792, 300 years after Columbus sailed for America, Gray crossed the bar of the Columbia and on May 11 of that year said, "We found this to be a large river of fresh water."

Later Vancouver explored our river, Britain and America developed it and finally America made it her own. From furs bound for Canton and London and farm products bound for "Owyhee" it has become in the 20th century a tremendous contributing factor to our national export trade.

In that quiet country where was once no sound but that of its own dashing 7,000,000 busy people now live—farmers, fishermen, shippers, manufacturers and workers in the forests, mills, and mines.

From the loneliness of those days when the small, weathered sails of Captain Gray's

ship stood against that wide western horizon, we have moved with speed and progress. The Columbia has become one of the major waterways of the world. Ports on this great river, due to the intelligent leadership of business, labor and public legislative bodies are now among the most modern in the United States. Thousands of tons of wheat and other products are shipped by barge, rail and trucks to our ports. There is no single day that passes without the flag of some foreign nation flying against the western hills—still forested and green—as another ship sails out of the Columbia with Northwest commerce to far ports of this earth.

One of our leading trade partners is Japan. The State of Washington's commerce with the Far East rose from \$42,911,000 in 1960 to \$76,500,000 in 1963.

Southeast Asia, the Philippines, India, and other nations, with names almost as magic as the spices of old, are part and parcel of this ever-growing trade.

In the Columbia Basin also lies 40 percent of the nation's hydroelectric potential, almost unlimited fresh water, abundant recreation areas, commercial fishing.

There is today no end to the dream of growth in the land that surrounds the Columbia and there is no end also to the river that bears cargo and men in the eternal tides of time bound for the future.

LEGISLATIVE PROGRAM—FOOD AND AGRICULTURE ACT OF 1965

Mr. KUCHEL. Mr. President, if I may have the attention of the distinguished majority leader, I should like him to express his views on what may transpire in the Senate during the remainder of today, and what he contemplates will be our labors in the Senate tomorrow.

Mr. MANSFIELD. Mr. President in response to the questions raised by the distinguished acting minority leader, the Senator from California [Mr. KUCHEL], I first ask unanimous consent that H.R. 9811, the farm bill, be laid before the Senate immediately upon being reported.

Mr. KUCHEL. Is that bill at the desk yet?

Mr. MANSFIELD. Not yet, but it will be here by midnight.

Mr. President, I ask unanimous consent that the Senate proceed to consideration of H.R. 9811, the Food and Agriculture Act of 1965, and that it be made the pending business when reported.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 9811), to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. MANSFIELD. Mr. President, for the information of the Senate, various reports of committees will be allowed to be filed until midnight tonight. It is my hope that the farm bill will be the pending business at the conclusion of the morning business tomorrow; but for the information of the Senate and in response to the questions raised by the distinguished Senator from California [Mr. KUCHEL], tomorrow the Senate will take up and consider the following measures:

Calendar No. 655, H.R. 8027, a bill to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques and practices in State and local law enforcement and prevention and control of crime, and for other purposes.

The Senate should be prepared to take up, as soon as they are cleared, the following measures:

Calendar No. 658, S. 1349, a bill to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length.

Calendar No. 659, H.R. 5989, an act to amend section 27, Merchant Marine Act of 1920, as amended.

Calendar No. 660, S. 2142, a bill to simplify the admeasurement of small vessels.

Calendar No. 662, S. 897, a bill to provide for the establishment of the St. Croix National Scenic Waterway in the States of Minnesota and Wisconsin, and for other purposes.

Calendar No. 669, S. 2118, a bill to clarify sections 9 and 37 of the shipping Act of 1916, and subsection O(d) of the Ship Mortgage Act of 1920, and for other purposes.

It is hoped that tomorrow the highway beautification bill will be reported, and that it will be taken up as expeditiously as possible.

In addition, Calendar No. 635, H.R. 8469, to provide certain increases in annuities payable from the Civil Service Retirement and Disability Fund, and for other purposes may be considered tomorrow.

Any of the bills I have mentioned may be taken up tomorrow.

No further legislative business will be transacted this afternoon.

Therefore, the Senate should be on notice that a workload is in the offing. It is the hope of the leadership on both sides of the aisle that it will be possible to start work on the farm bill tomorrow. I hope it will be possible to dispose of the farm bill this week, even if it means having a Saturday session.

Mr. KUCHEL. I thank the Senator.

Mr. MAGNUSON. I should like to ask the Senator from Montana a question. I presume that we shall have adequate debate—of course, I know that we shall have it—on the farm bill. That debate may go on for 2 or 3 days. The Senator from Wisconsin and I and many other Senators are disturbed about the report to the effect that the dairy program has been taken out of the bill. Many other Senators are concerned with that situation. The provision is contained in the House bill. I expect that this provision will take a little time to discuss on the floor because of the great concern about the dairy section.

Mr. MANSFIELD. Yes; the dairy section is not the only section in disagreement.

Mr. MAGNUSON. At least the other features have been tackled in some respects, but the dairy section has been taken out completely. The Senator from Wisconsin and I will have a little to say about it.

LET US SAVE OUR COTTON INDUSTRY, NOT DESTROY IT

Mr. KUCHEL. Mr. President, let the RECORD show that with respect to the farm bill, which will be here before the Senate tomorrow and perhaps for a while during the week, I speak not only as a Californian, but as an American, in registering my own violent and vigorous objection to what, regretfully, the Committee on Agriculture and Forestry saw fit to do on the subject of cotton.

The administration made some recommendations to Congress in an effort to help the weakening economic position of American cotton. They were good recommendations. They had a tendency to eliminate needless subsidies. They had a tendency to lower the amount of cotton surpluses. They had a tendency to encourage free competition in cotton, unfettered by Federal financial soporifics. Such action is in the interest of the American taxpayers.

The House of Representatives voted the recommendations of the administration. Those recommendations were agreed upon by such able Members of the Senate as my friend the distinguished junior Senator from Georgia [Mr. TALMADGE].

I regret that the committee overruled what the administration asked for, and what the House of Representatives approved, and what I believe the Senate at long last will have approved when the debate on the proposed legislation has been terminated.

I recognize the great difficulty in finding a base upon which to cope with what many people in this country are calling the mess in agriculture. At any rate, I salute Senators on both sides of the aisle who interest themselves in the traditional American concept of individual American initiative.

So far as I am concerned, the Senate should review the extremely regrettable action of the committee in dealing with the problem of the cotton industry, which is in great distress and, after doing so, rectify the committee's errors, and approve what the administration has recommended.

Mr. President, if we are going to save the cotton industry of the United States from destruction, we are going to have to continue and strengthen and improve the one-price system.

We are going to have to do this to keep cotton competitive in the world market and competitive with manmade fibers in our domestic mills.

We simply cannot go back to the old, ruinous, two-price system as called for in the Senate committee bill. A return to the two-price system would mean the end of cotton in America.

Our domestic mills would turn more and more to synthetic fibers. Our cotton stocks would pile up ever higher and higher in our warehouses at great cost to the taxpayers. Our cotton would be priced out of the market, and this would mean eventual ruin to the cotton farmers of America.

We cannot afford, Mr. President, to continue high price supports and high loans that price our cotton out of the

market and survive in either the world or the domestic trade.

We have got to go to a lower loan rate, and to a provision in H.R. 9811, as passed by the House, which would permit our efficient cotton farmers to stay out of the Government program, and produce as much as they want to plant for the lower world market price. Is not that the American system?

As I pointed out to the Senate only a few days ago, Mr. President, there is an urgent need for more quality, strong cotton to compete with synthetic fibers. Our California farmers produce this type of strong, high quality cotton, Mr. President. And, I think they ought to be allowed to produce more of it for the world market price, if they can do this efficiently and economically.

H.R. 9811, the House passed bill, provides that any cotton grower who would forego the Government loan, all Government payments, and all Government subsidies on his cotton, could grow for the world price of about 22 cents a pound without acreage restrictions.

We have some few growers in California who I believe would be adventurous enough to try growing cotton not only for the world market at the world price, but also for our own domestic textile mills at the world price, Mr. President, if they were permitted to do so.

Our domestic mills need more of this high quality cotton to blend with other cotton fibers in the manufacture of modern textiles. And they would use it if they could buy it at the world price.

This type of cotton would be used by the mills; it would not pile up in the warehouses, and it would mean increased use of cotton and less use of synthetics. And this cotton would be produced at no cost to the taxpayers. Should not that be an attractive feature to our fellow citizens?

Mr. President, if an American farmer chooses not to take a Government subsidy, he ought to be allowed to plant cotton to his heart's content and sell it at the world price.

The overplanting provision of H.R. 9811 would permit this to be done, and it is my firm belief that this would not have an adverse effect on the cotton program. Indeed, I believe it would contribute to increasing the competitiveness of cotton in both the world and domestic markets.

Mr. President, I do not necessarily favor each and every provision of H.R. 9811, but it is imperative that we continue and improve the one-price system for cotton. H.R. 9811 will do this, and it is a far better program than the Senate committee bill, which, in my judgment, would destroy our cotton industry.

The President of the United States has recommended that the present cotton program be extended with new measures designed to reduce the cost of the program and to cut down on the cotton surplus.

H.R. 9811 would do this, but the Senate committee bill would not.

The cotton carryover on August 1 of this year was 14.2 million bales, and a 1965 crop of more than 14.8 million bales is anticipated. At the present rate of

domestic consumption and exports, the cotton carryover probably will rise to about 15.5 million bales by August 1, 1966. CCC will hold about 13 million bales of these stocks.

This is far too much cotton to be stored in our warehouses at the taxpayers' expense. The Senate committee bill will not sufficiently reduce this huge surplus. It would not improve our world competitive position. It would not reduce costs, as the President has advocated. It would materially add to them.

If the Senate committee bill were approved, the costs of the cotton program would be increased year by year, and surpluses would not be reduced to the extent that the public interest would require.

The so-called Ellender program of the Senate committee would cost a little more now than the one-price program of H.R. 9811, and the costs would increase year by year.

On the other hand, the low loan, direct payment, one-price program would cost slightly less to begin with, and in each succeeding year its cost would be from \$200 million to \$300 million less than the Ellender plan.

The Ellender program would reduce our cotton surpluses down to around 12.5 million bales, but this is not enough reduction.

We need to get our surpluses down to around 9 million bales. The low loan, direct payment, one-price program of H.R. 9811 and the amendments rejected by the Senate committee would bring our surplus down below the 9 million figure.

One of the big problems of our cotton industry is how to increase our exports. We are losing out in the world market, which is a mounting tragedy in this era of imbalance of payments in our foreign trade.

Our cotton exports last year were 4.2 million bales and for this year are estimated at about the same level—down from 5.7 million bales in 1963-64. World production at record high levels, and increased consumption of manmade fibers are the major factors responsible for our export situation.

What to do about this is one of the most difficult questions confronting us. Everyone agrees that cotton should be offered for sale competitively in the world market. But, how is this to be accomplished?

Do we allow our cotton growers to produce for export on a competitive basis? Or, do we have the U.S. grower produce cotton for export at a price higher than the world prices—protected by Government price-support programs—and then have the price lowered to competitive world levels at Government expense and by bureaucratic decision?

The latter method already has been tried and found wanting. The Senate committee bill, would simply go back to this plan that already has been proven to be a failure, and a costly failure at that.

Price support loans nearer world price levels, with supplementary payments to producers participating in the cotton

program, would be far more desirable, far more flexible, and would enable the market to determine prices.

Under the program as adopted by the House, we can increase our exports without such high Government expenditures, and at the same time we can maintain farm income at reasonable and decent levels.

Mr. President, I do not want to see the efficient cotton producers of California and other areas of our Nation penalized and hamstrung by continued restrictive policies of Government controls. I want to see them free to plant, without Government subsidies, for the world market.

I want to see us get the Government out of this business of buying, storing, and selling so much cotton. This ought to be the business of the cotton trade, not of the Government.

Mr. President, I appeal to my colleagues on both sides of the aisle—let us strike the chains from our cotton farmers. Let us vote down the ruinous cotton provisions of the Senate committee bill, and substitute for it the cotton section of H.R. 9811.

Do not destroy our cotton industry and our cotton farmers. Save this industry and the cotton farmers with a cotton program that makes some sense. Thus, will the national economy be strengthened, and the theory of American initiative be vindicated.

THE STEEL STRIKE—PRESIDENT JOHNSON'S EFFORTS IN SETTLING MANAGEMENT-LABOR DISPUTES

Mr. MANSFIELD. Mr. President, I should like to state how happy and pleased I am that the producers of steel and the makers of steel, management and labor, were able to get together over the past weekend.

I believe that much credit should go to them for their understanding of what the effects of a steel strike would be on the country. Great credit should go to the President of the United States who, for the second time, has performed a task of significance to the economic welfare of the country in exerting his personal efforts to bring about a settlement of the differences in the steel industry.

The Senate may recall that when the President first took office, he was largely responsible for bringing about a settlement of the differences within the railroad industry—differences which had plagued previous administrations for several years, and which were finally adjudicated through the personal interest he took in them.

I am delighted that this settlement in the steel industry has taken place. I am glad to note, from newspaper accounts, at least, that the settlement remains within the guidelines set down by the administration.

I am very hopeful that the settlement of this strike will serve as an indicator to other industries and to organized labor that it is much better to settle differences than to try to work them out on the bricks or on the pavement.

I am glad that a week or so ago it was finally possible, at long last, to bring about a settlement of the maritime strike,

a strike which never should have occurred in the first place, and which caused untold damage to the economy of this country, a strike which now happily has been settled.

I hope that this pattern will continue and will be applied to other segments of the country.

Mr. BAYH. Mr. President, the most welcome news of the past weekend was the successful negotiation of a 35-month contract between the major American steel producers and the United Steelworkers of America.

President Johnson is to be commended for the role he played in this settlement. He asserted the public interest into the negotiation but did not break into the relationship between management and labor. He urged them to reach their own agreement, without projecting himself into the issues of the negotiations.

The possibility of a steel strike had hung heavily on the Nation's economic horizon for most of this year. With the negotiations beginning during the midst of the United Steelworkers of America union elections, it was difficult to see how the bargaining could be carried out effectively. The union and management wisely agreed to an extension of the old contract to allow the United Steelworkers of America's new president, I. W. Abel, to take control of the union's negotiations.

With the September 1 strike deadline approaching, the President found it necessary to ask for another extension—to September 8—and to invite the negotiators to Washington where he could personally assist in the talks. He made it clear that the public policy of this country is to prevent major work stoppages in essential industry. Although steel accounts for only 4 percent of America's industrial output, it is still so basic to our manufacturing process that any prolonged closing would have a disastrous effects on the entire country.

The President insisted that with the Vietnam crisis, steel and basic industrial production is essential to our national security. He suggested, and rightly so, that any interruption in the production of vital war materials at this time was unpatriotic and might be considered by other nations as a division of support for American foreign policy.

To their credit, the negotiators were able to come to an agreement on Friday. This agreement was formally accepted by the Wage Policy Committee of the Steelworkers Union on Sunday.

We must voice our appreciation to both the steel management and labor for considering the public consequences of their private business. Their response to the urgings of the President is typical of their reactions to the public need in recent years.

The agreement itself has been termed by the President as "a fair one, designed to prevent inflation which would damage our Nation's prosperity." It is gratifying that the pact can be noninflationary. With the general business upswing crowding capacity, any major price hike in steel could bring on inflationary pressures that we could ill afford.

As we view the situation from Washington, we reflect on the impact on the economy and world politics. But to the thousands of steelworkers and their families that I represent, the steel pact means continued good times.

The small grocer in Gary knows that next week he will be cashing paychecks for his regular customers instead of filling strike orders from the business agent. The wife whose husband works in the mill knows now that she can buy the children's back-to-school clothes.

A steel strike is a very human thing—a tragedy to the people whose livelihood depends on the men in the mill.

Because their President cared enough for them, for the economy, and for the fighting men in Vietnam—the strike has been averted. He was not content to sit idly by and let a strike take its toll. He did not bring the Government into interference with the free market system. He did bring the great moral strength of his office, his own good will, and his great powers of persuasion to bear on the problem and caused its solution.

I applaud and I offer thanks to the leaders of the steel industry and to the President for their significant contribution to the American economy by their successful negotiations last week. The example of the steel leadership working with its Government to keep the wheels of industry turning is good for all businesses to see.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I assume, barring the appearance of other Senators in the Chamber, that at the conclusion of the remarks of the distinguished Senator from Iowa [Mr. MILLER], the Senate will stand in adjournment.

I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSALS FOR SETTLEMENT OF THE WAR IN VIETNAM

Mr. MILLER. Mr. President, on August 16 I expressed a concern that some misleading interpretations are being placed on what the United States will settle for in Vietnam. I refer Senators to the CONGRESSIONAL RECORD of August 16, 1965, pages 20546-20552.

I was concerned, as I said at that time, over suggestions that we may settle for less than what the President has stated to be our minimal objectives.

I remarked that:

This is no time to give comfort to those who promote aggression. Granted that our own leaders intend to follow a firm policy, they should avoid any statements which might be construed as a sign of deviation from that policy.

It was also pointed out at that time that:

All peace-loving people are prayerful that there will be a prompt end to the war in Vietnam and that peace will come to that

area. But few peace-loving people will tolerate an end to the war at the price of freedom or the profit for aggression. The national interest of the United States and South Vietnam—indeed the national interest of all nations, large and small, whose people live in freedom—repudiates a policy of peace at any price. There is a price to be paid for peace, and it is only with a clear understanding of what that price is that those who speak of "negotiations" can speak meaningfully.

President Johnson's statement at Johns Hopkins University was also repeated:

We will not withdraw, either openly or under the cloak of a meaningless agreement.

All of us realize that great priority has been given by the President to bring about a cessation of hostilities in Vietnam and to bring the participants to the conference table.

But there is something of higher priority than that: It is the minimal objectives clearly stated by the President of the United States for the war in Vietnam. These objectives are: To persuade the North Vietnamese to leave their neighbor, South Vietnam, alone; to cease and desist from directing, controlling, and supplying war materiel and manpower to the Vietcong military forces in South Vietnam; and to assist the South Vietnamese in ending the attacks of the Vietcong so that the people can live in peace and freedom. This is the price of peace in Vietnam. Any cessation of hostilities and any action at the conference table must be premised on the achievement of these minimal objectives. And any timetable for cessation of hostilities and participation at the conference table cannot take priority over them.

It is with these thoughts that I turn to the statement on the floor of the Senate made by the distinguished majority leader on September 1. It has been widely reported that the views he expressed were those of the President, but whether this is so or not I do not know.

The majority leader set forth the four conditions for peace advanced by Hanoi in response to the President's Johns Hopkins speech. He then sought to show that these conditions might be reconcilable with President Johnson's minimal objectives.

I find it difficult to reconcile them. Hanoi's condition that the internal affairs of South Vietnam be determined by the South Vietnamese in accordance with the National Liberation Front program is repugnant to the concept of freedom for the people of South Vietnam. The peaceful, so-called reunification of all of Vietnam is a nice-sounding objective, but when one realizes the impossibility of holding genuinely free elections in a Communist dominated country, the objective lacks substance. It would seem to run counter to the only American interpretation which can be placed on President Johnson's stated objective that the people of South Vietnam shall have the right of choice, the right to shape their own destiny in free elections in the South, or throughout all Vietnam under international supervision. How could there be any such in-

ternational supervision without the foreign interference which Hanoi clearly demands be left out?

The distinguished majority leader also made this statement:

But unless the military conflict is to expand and to continue into the indefinite future, whether it be 3, 5, 10, or 20 years of war, the degree of these automatic reflexes must be tested in negotiations.

I do not believe that such a choice exists at all. The choice is between the realization of the minimal stated objectives of the President of the United States by negotiations and settlement or by war and settlement. It is the leaders in Hanoi—not in the United States—who have made the choice. It is up to them—not us—to decide whether to stop their aggression. Their decision will determine the length and intensity of the war. When they realize that aggression does not pay off—that the price of their decision to continue the war is too dear, they will agree to the President's minimal objectives in a settlement—and not before. This need not be any 3, 5, 10, or 20-year war at all; but its length will depend greatly on the President's decision on how much more cost will be paid by North Vietnam and how soon in order to persuade the leaders in Hanoi that continued war is unacceptable to them.

In this connection, a timely lead editorial entitled "We're Talking Too Much," was published in Monday's Washington Evening Star. The editorial points out that all of the talk about negotiations which has been going on from within the United States might be taken as an indication of irresolution on our part. It lays a foundation for the hope in the hearts of the leaders in Hanoi that the United States will not have the patience and perseverance which the President says we shall have to see it through, so that our minimal objectives will be attained and the world will know that aggression does not pay off. I ask unanimous consent that the editorial be printed in the RECORD, along with an editorial from the Des Moines Register of September 5, entitled "Mansfield's Peace Plan," which points out that the majority leader's suggestions "are still far from those offered to date by North Vietnam and its ally, the National Liberation Front of South Vietnam—Vietcong."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington, D.C., Evening Star, Sept. 6, 1965]

WE'RE TALKING TOO MUCH

Senator MANSFIELD, the majority leader, made a speech the other day which was essentially a restatement of our aims in Vietnam. He threw in two additional points, that there must be provision prior to negotiations for a "secure amnesty" and a willingness on all sides to accept a "cease-fire and a standfast." Otherwise, there was nothing new in it.

Since this speech is supposed to have had the prior approval of the President, there is reason to note with some concern Senator MANSFIELD's reiteration of the Johnson statement of July 28: "We insist and we will always insist that the people of South Vietnam shall have the right of choice, the right to

shape their own destiny in free elections in the South, or throughout all of Vietnam under international supervision."

There is all the difference in the world between the free elections in the South and elections throughout all Vietnam. In the former case there would be a right of choice. In the second, there would be none, for such an election would surely be won by the Communists. To agree to any such condition as this would be to capitulate to the Communists, despite all our brave words, and to sell the South Vietnamese down the river. We hope that this was not the essential message that Senator MANSFIELD, with the President's approval, was trying to get across to Hanoi.

It seems to us, furthermore, that the time has come to stop making peace overtures to the Communists every hour on the hour. The fighting has not been going well for them, and they must know that they cannot win this war. Why not let them sweat it out for a while instead of giving them even slight reason to think that we are tiring of the struggle and ready to call it a day?

Senator JAVITS was among those who applauded the MANSFIELD speech. He said we should constantly reiterate our willingness to negotiate, which, in fact, the President has been doing. Then the New York Senator added: "I hope very much that these efforts are not misunderstood as indicating an irresolution on our part."

With this, he put his finger on what may well be the Achilles' heel of our repeated bids for peace. We should stop talking about our willingness to talk, and let our willingness to fight speak for itself for a while.

[From the Des Moines Sunday Register, Sept. 5, 1965]

MANSFIELD'S PEACE PLAN

Two new sets of peace proposals have appeared recently for the Vietnam war: an interview given by South Vietnamese Premier Nguyen Cao Ky including his peace terms; and a speech in the U.S. Senate by Majority Leader MIKE MANSFIELD, ostentatiously approved by the White House, summarizing U.S. terms for peace.

Ky wants time to overcome "many injustices" in South Vietnam before he faces peace negotiations and possible free elections. This doesn't fit in too well with U.S. efforts to get peace as soon as possible, perhaps this fall or winter—but the frank admission of injustices is a new and wholesome attitude for a South Vietnamese to take. South Vietnam can be lost on either the military front or the economic and social front; but it cannot be "won" without solid accomplishments in both.

Ky would like North Vietnamese troops withdrawn from South Vietnam under firm guarantees before he starts peace negotiations, and he wants American troops to stay on until his government asks them to leave. This goes beyond U.S. thinking. But as a hard bargaining position this makes some sense—providing Ky's forces and his U.S. allies win some more victories.

Senator MANSFIELD's speech is much more realistic in the terms it presents. MANSFIELD has been (1) against expanding the Vietnam war; (2) for full debate and full news coverage of it, without fear or favor; (3) for President Johnson's effort to make peace and to hang on in the meantime. In public, MANSFIELD has generally supported administration policy; in private he is said to be critical.

So there is special significance in his appearing this time as administration spokesman, with public congratulations by Vice-President HUBERT HUMPHREY and a White House statement that the speech "reflects the sentiment of the Johnson administration." MANSFIELD himself avowedly based the speech on recent presidential speeches, with "clarifications" of his own.

The Mansfield-Johnson peace terms call for a verified free choice by the South Vietnamese people of their own government and their own destiny, which may be independence of reunion with North Vietnam if they so choose. The terms call also for withdrawal of all foreign forces and bases throughout Vietnam, North and South, once peace is established and adequate international guarantees for noninterference in Vietnam, Laos and Cambodia are agreed on. MANSFIELD added suggestions for an amnesty and a cease-fire as essential to negotiations.

These terms are still far from those offered to date by North Vietnam and its ally, the National Liberation Front of South Vietnam (Vietcong). They want to get the U.S. troops and bases out, but not the North Vietnamese, and they want reunification of Vietnam under elections stacked in favor of the Communists. But they may be doing some rethinking under the impact of the heavy U.S. poundings in the field, and the still heavier U.S. buildup for future hostilities if the war continues.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 4 minutes p.m.), in accordance with the previous order, the Senate adjourned until tomorrow, Wednesday, September 8, 1965, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations, confirmed by the Senate September 7, 1965:

EXPORT-IMPORT BANK OF WASHINGTON

Hobart Taylor, Jr., of Michigan, to be a member of the Board of Directors of the Export-Import Bank of Washington.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Ralph K. Hutt, of Wisconsin, to be an Assistant Secretary of Health, Education, and Welfare.

U.S. NAVY

Rear Adm. Alexander C. Husband, Civil Engineer Corps, U.S. Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy for a term of 4 years.

U.S. ARMY

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

Brig. Gen. Richard Charles Kendall, O1184680, Adjutant General's Corps.

Brig. Gen. Howard Samuel McGee, O387469, Adjutant General's Corps, to be major generals.

DEPARTMENT OF JUSTICE

Keith Hardie, of Wisconsin, to be U.S. marshal for the western district of Wisconsin for the term of 4 years.

George A. Bukovatz, of Montana, to be U.S. marshal for the district of Montana for the term of 4 years.

Robert Nelson Chaffin, of Wyoming, to be U.S. Attorney for the district of Wyoming for the term of 4 years.

IN THE MARINE CORPS

The nominations beginning William L. Atwater, Jr., to be colonel, and ending William J. Zaro, to be colonel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 23, 1965.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 7, 1965

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore (Mr. ALBERT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,

September 7, 1965.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK,

Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of the Scriptures: II Thessalonians 3: 3: *But the Lord is faithful, who shall stablish you, and keep you from evil.*

Almighty God, we thank Thee for this moment of prayer and meditation in the midst of hurrying days. Give us open minds and responsive hearts and may we hear and heed Thy voice speaking peace unto our souls.

Always and everywhere we need Thee; in our weakness to support and sustain us and in our strength to discipline and direct us.

Grant that our eyes may be open to the higher values of life and the eternal worth of every human soul.

As we have entered into the labors of others, so may we work while it is yet day that those who succeed us may enter into a richer inheritance, and be brought into union with the abiding life of God without whom our lives are shrouded in impenetrable mystery and end in futility.

In a world of racial rancor and industrial strife and discord, where we have not learned to live together, show us how we may stop the madness of it all and live with one another in fraternal fellowship.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, September 3, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9567. An act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

The message also announced that the Senate insists upon its amendments to

the bill (H.R. 9567) entitled "an act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MORSE, Mr. HILL, Mr. McNAMARA, Mr. YARBOROUGH, Mr. CLARK, Mr. RANDOLPH, Mr. KENNEDY of New York, Mr. PROUTY, Mr. JAVITS, and Mr. DOMINICK to be the conferees on the part of the Senate.

DISPENSING WITH CALL OF PRIVATE CALENDAR

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar scheduled for today be transferred until tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CONSENT CALENDAR

The SPEAKER pro tempore. This is Consent Calendar Day. The Clerk will call the first bill on the calendar.

OBSERVING THE 250TH ANNIVERSARY OF HOPKINTON, MASS.

The Clerk called House Resolution 439.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. HALL. Mr. Speaker, reserving the right to object, and I shall not object, I simply want to inquire if the rather lengthy letter and research by the gentleman from Massachusetts [Mr. DONOHUE], compiled by the Library of Congress, has been made a part of the committee record? This is an excellent report. I have seen it personally. All of the House provisions of the Consent Calendar have been met, and I commend the gentleman and the committee for accomplishing this within the rules we establish for ourselves.

Mr. DONOHUE. I will advise the gentleman copies were mailed to the other objectors, and one has been forwarded to the Committee on the Judiciary.

Mr. HALL. I thank the gentleman.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

H. RES. 439

Whereas 1965 marks the two hundred and fiftieth anniversary of the founding of the town of Hopkinton, Massachusetts; and

Whereas this town and its people have made important contributions to all aspects of the life of this Nation; and

Whereas the observance of this anniversary will be celebrated in Hopkinton, Massachusetts, on June 25, 26, 27, 1965, with public ceremonies, parades, concerts, and other public gatherings with widespread participation of not only the townspeople but guests and visitors from many places; and

Whereas Hopkinton is a beautiful community, rich in historic interest, well known for its patriotic contributions, noted for its